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HANSARD'S
PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

41° VICTORIÆ, 1878.

VOL. CCXXXVIII.

COMPRISING THE PERIOD FROM

THE TWENTIETH DAY OF FEBRUARY 1878,

TO

THE TWENTY-FIFTH DAY OF MARCH 1878.

Second Volume of the Session.

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(2.) *Resolved,* That the principal of all Exchequer Bonds which may be so issued shall be paid off at par, at any period not exceeding five years from the date of such Bonds.

(3.) *Resolved,* That the interest of such Exchequer Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

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TWENTY-FIRST PARLIAMENT OF THE UNITED KINGDOM.

LORDS.

SAT FIRST.

TUESDAY, MARCH 5, 1878
The Earl Bathurst, after the Death of his Uncle.

COMMONS.

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Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 85, Noes 65; Majority 20.—(Div. List, No. 37.)

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SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

ARMY—THE AUXILIARY FORCES—ADJUTANTS OF VOLUNTEERS—RESOLUTION—Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "the consideration of the rank and retiring allowances of Adjutants of Volunteers be referred to a Select Committee,"—(*Mr. Knight*,)—instead thereof .. 638
Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *negatived*.

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(2.) £4,572,000, Pay and Allowances of Land Forces, *agreed to*.

(3.) £49,300, Divine Service.—After short debate, Vote *agreed to* 718

(4.) £28,600, Administration of Military Law.—After short debate, Vote *agreed to* .. 718

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Weights and Measures Bill [Bill 111]—

Moved, "That the Bill be now read a second time,"—(*Mr. Edward Stanhope*) 719

Moved, "That the Debate be now adjourned,"—(*Mr. Parnell*:)—After short debate, Motion, by leave, *withdrawn*.

Original Question put, and *agreed to*:—Bill read a second time, and *committed* to a Select Committee.

Public Health (Ireland) Bill [Bill 1]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Attorney General for Ireland*) 722

After short debate, Motion, by leave, *withdrawn*:—Committee *deferred* till *Monday* 18th March.

Exchequer Bonds (£1,000,000) Bill [Bill 121]—

Bill *considered* in Committee 722

Bill *reported*, without Amendment; to be read the third time *To-morrow*.

Sale of Intoxicating Liquors on Sunday (Ireland) Bill—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*The O'Conor Don*) 723

After short debate, Motion, by leave, *withdrawn*:—Committee *deferred* till *Thursday*.

MOTIONS.

Interments in Churchyards Bill—*Considered* in Committee:—Resolution *agreed to*, and *reported*:—Bill *ordered* (*Mr. Ritchie, Mr. Gorst, Mr. Woodd, Mr. Sampson Lloyd*); *presented*, and read the first time [Bill 123] 724

Valuation of Lands (Scotland) Amendment Bill—*Ordered* (*Sir Windham Anstruther, Mr. Campbell-Bannerman, Sir Edward Colebrooke, Sir Graham Montgomery, Mr. Ramsay*); *presented*, and read the first time [Bill 124] 724

LORDS, TUESDAY, MARCH 5.

CRIMINAL LAW—ALLEGED CRUELTY—Question, Observations, Lord Truro .. 724

Contagious Diseases (Animals) Bill (No. 22)—

Moved, "That the Bill be now read 2ª,"—(*The Lord President*) .. 725

After debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

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MOTIONS.

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After short debate, Motion, by leave, *withdrawn.*

Endowed Schools (Birmingham Scheme, &c.)—Motion for an Address—
Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to refuse Her assent to the scheme of the Endowed Schools Commissioners for the management of the Free Grammar School of King Edward the Sixth in Birmingham, and for the management of the foundations of John Milward and Joanna Lench in the county of Warwick,"—(*Mr. John Bright*) 777
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ORDER OF THE DAY.

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[House counted out.]

COMMONS, WEDNESDAY, MARCH 6.

ORDERS OF THE DAY.

Municipal Franchise (Ireland) Bill [Bill 20]—
Moved, "That the Bill be now read a second time,"—(*Major O'Gorman*) 796
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Kavanagh.*)

Municipal Franchise (Ireland) Bill—continued.
Question proposed, "That the word 'now' stand part of the Question:" After debate, Question put:—The House *divided;* Ayes 160, Noes 165; Majority 5.—(Div. List, No. 42.)
Words *added:*—Main Question, as amended, put, and *agreed to:*—Second Reading *put off* for six months.

Town Councils, Local Boards, and other Local Governing Bodies Bill [Bill 22]—
Moved, "That the Bill be now read a second time,"—(*Mr. Mundella*) .. 825
Moved, "That the Debate be now adjourned,"—(*Mr. Charles Lewis:*)—Question put:—The House *divided;* Ayes 151; Noes 160; Majority 9. —(Div. List, No. 43.)
Question again proposed, "That the Bill be now read a second time:"—*Moved,* "That this House do now adjourn,"—(*Mr. Pell:*)—Question put:—The House *divided;* Ayes 97, Noes 170: Majority 76.—(Div. List, No. 44.)
And it being after a quarter of an hour before Six of the clock, the further Proceeding on Second Reading stood adjourned till *To-morrow.*

SUPPLY—Resolutions [4th March] *reported* 825
Moved, "That the said Resolutions be now read a second time:"—Debate *adjourned* till *To-morrow.*

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LORDS, THURSDAY, MARCH 7.

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Amendments made; and Bill *re-committed* to a Committee of the Whole House on *Tuesday* next; and to be *printed* as amended (No. 37.)

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THE VOTE OF CREDIT AND THE NAVY ESTIMATES—Question, Sir John Hay; Answer, Mr. W. H. Smith 877

ORDERS OF THE DAY.

Factories and Workshops Bill [Bill 3]—

Bill *considered* in Committee [*Progress* 1*st March*] 877

After some time spent therein, Bill *reported;* as amended, to be considered *To-morrow*, and to be *printed.* [Bill 126.]

County Government Bill [Bill 93]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Sclater-Booth*) 893

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Rylands,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Mitchell Henry:*)—After further short debate, Question put:—The House *divided;* Ayes 44, Noes 244; Majority 200.—(Div. List, No. 45.)

Question again proposed, "That the words proposed to be left out stand part of the Question:"—*Moved,* "That this House do now adjourn,"—(*Mr. Parnell:*)—After short debate, Motion, by leave, *withdrawn:*—Debate *adjourned* till *Thursday* next.

SUPPLY—Report [4th March]

Order read, for resuming Adjourned Debate on Question [6th March], "That the said Resolutions be read a second time:"—Question again proposed:—Debate *resumed* 943

First Resolution read a first time:—On Question, "That the Resolution be read a second time?"—After short debate, Question put, and *agreed to.*

Second Resolution read a first time 945

On Question, "That the Resolutionbe read a second time?"

Amendment proposed, to leave out "£4,572,000," in order to insert "£4,565,090,"—(*Mr. Parnell,*)—instead thereof.

Question proposed, "That '£4,572,000' stand part of proposed Resolution:"—After short debate, Amendment, by leave, *withdrawn:*—Resolution *agreed to.*

Subsequent Resolutions *agreed to.*

Mutiny Bill—*Ordered* (*Mr. Secretary Hardy, The Judge Advocate, Colonel Loyd Lindsay*); *presented,* and read the first time 948

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Amendment made; the Report thereof to be received on *Tuesday* next; and Bill to be *printed* as amended, (No. 38.)

POOR LAW AND HIGHWAY BOARDS (UNION OF PARISHES)—ADDRESS FOR RETURN—

Moved that an humble Address be presented to Her Majesty for—

Return of all complaints made to any public offices of inconvenience arising from the union of parishes belonging to different counties in Poor Law or Highway Boards,—(*The Earl of Redesdale*) 953

Address *agreed to.*

ECCLESIASTICAL BENEFICES—ADDRESS FOR A ROYAL COMMISSION—

Moved that an humble Address be presented to Her Majesty, praying Her Majesty to issue a Royal Commission to inquire into the law and existing practice as to the patronage, sale, exchange, and resignation of ecclesiastical benefices, and to recommend remedies for abuses if any are found to exist,—(*The Lord Archbishop of York*) .. 954

After debate, Motion amended, and *agreed to.*

COMMONS, FRIDAY, MARCH 8.

PRIVATE BUSINESS.

London and North Western Railway (*Reddish to Leeds*) *Bill* (*by Order*)—

Moved, "That the Order of the Day for the Second Reading be postponed until Tuesday the 12th instant,"—(*Sir Charles Forster*) .. 971

Motion *agreed to*:—Second Reading *deferred* till *Tuesday* next.

TRAMWAYS (USE OF MECHANICAL POWER) BILLS—

Ordered, That it be an Instruction to the Select Committee on the Tramways (Use of Mechanical Power) Bills to consider under what conditions (if at all) the use of steam or other Mechanical Power may be authorised upon Tramways during the present Session, and to take evidence thereon if they shall think fit.

Ordered, That the Committee have power to send for persons, papers, and records.—(*The Chairman of Ways and Means.*)

QUESTIONS.

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ORDER OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

REPRESENTATION OF MINORITIES—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable that the whole electoral body should be enabled to enjoy that direct representation which is at present confined to majorities:

"That no effectual security exists for the due representation of minorities:

"And that, as far as possible, all opinions should have an opportunity of being represented in direct proportion to the number of electors by whom they are held,"—(*Mr. Blennerhassett,*)—instead thereof 979

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, [House counted out.]

LORDS, MONDAY, MARCH 11.

THE EASTERN QUESTION—THE CONFERENCE—GREECE—Question, Earl Granville; Answer, The Earl of Derby 1021

Metropolitan Board of Works (Election of Members) Bill—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Camperdown*) .. 1021

Amendment *moved,* to leave out ("now,") and add at the end of the Motion ("this day six months,")—(*The Viscount Midleton.*)

After short debate, on Question, That ("now") stand part of the Motion? their Lordships *divided;* Contents 36, Not-Contents 54; Majority 18.

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Moved for Copy of Orders issued by the Privy Council to regulate the transit of cattle by land and sea,—(*Earl De La Warr.*)

Motion *agreed to:*—Ordered to be laid before the House.

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Parliament—Cost of Returns—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "Members asking for Returns should previously ascertain from the Department the approximate expense and time required for their production, and give this information to the House when moving for the same,"—(*Mr. Hermon*,)—instead thereof 1049

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to*.

Main Question proposed, "That Mr. Speaker do now leave the Chair:"—

Navy—Designs of Ships of War—Observations, Mr. Seely .. 1057

After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Gorst*:)—Question put, and *agreed to*:—Debate *adjourned* till *Wednesday*.

Bankruptcy Law Amendment Bill [Bill 119]—

Moved, "That the Bill be now read a second time,"—(*The Attorney General*) 1125

After short debate, Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* 25th March.

Bankruptcy Act (1869) Amendment Bill [Bill 89]—

Moved, "That the Bill be now read a second time,"—(*Mr. Sampson Lloyd*) 1135

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* 25th March.

LORDS, TUESDAY, MARCH 12.

Matrimonial Causes Acts Amendment Bill (No. 34)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Sudeley*) .. 1136

After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

Contagious Diseases (Animals) Bill (Nos. 22-37)—

Order of the Day for the House to be put into Committee (on Re-commitment), read 1138

Moved, "That the said Bill be referred to a Select Committee,"—(*The Lord Emly*:)—After short debate, Motion *agreed to*:—Order *discharged*; and Bill *referred* to a Select Committee.

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Mr. Gladstone and Mr. Layard—The Negroponte Correspondence—Resolution—

Moved, "That this House, having had laid before it the Correspondence between Her Majesty's Ambassador at Constantinople and the Foreign Office, relating to certain charges which had been made against the Right honourable the Member for Greenwich, based on his Letters to a M. Negroponte, views with regret the part taken in the matter by Her Majesty's Ambassador,"—(*Mr. Evelyn Ashley*) 1156

After long debate, Question put:—The House *divided;* Ayes 132, Noes 206; Majority 74.—(Div. List, No. 46.)

ORDER OF THE DAY.

Metropolis Waterworks (Purchase) Bill [Bill 58]—

Moved, "That the Bill be now read a second time,"—(*Sir James M'Garel-Hogg*) 1217

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Samuda.*)

Question proposed, "That the word 'now' stand part of the Question:"—*Moved*, "That the Debate be now adjourned,"—(*Mr. Charley*:)—After short debate, Motion *agreed to*:—Debate *adjourned* till *To-morrow.*

MOTIONS.

Poor Law Guardians, &c.—

Select Committee *appointed*, "to inquire into the system under which Guardians of the Poor and Members of Local Boards in England and Ireland and Members of Parochial Boards in Scotland, are at present elected; and to report whether it is desirable to make any, and, if so, what change in such system; and also, whether it is desirable to extend the term of office for which Guardians of the Poor and Members of Parochial Boards are now elected,"—(*Mr. Hibbert.*)

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Borough Franchise (Ireland) Bill—*Ordered* (*Mr. Meldon, Mr. Butt, Mr. Maurice Brooks, Mr. Gray*) 1236

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ORDER OF THE DAY.

Capital Punishment Abolition Bill [Bill 19]—

Moved, "That the Bill be now read a second time,"—(*Mr. Pease*) .. 1237

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Grantham.*)

Question proposed, "That the word 'now' stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 64, Noes 263; Majority 199.—(Div. List, No. 47.)

Words *added*:—Main Question, as amended, put, and *agreed to*:—Second Reading *put off* for six months.

MOTIONS.

Patent Law Amendment Bill—*Ordered* (*Mr. Mundella, Mr. Dalrymple, Mr. Alexander Brown*); *presented*, and read the first time [Bill 127] 1274

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ORDER OF THE DAY.

SUPPLY—COMMITTEE—NAVY—DESIGNS OF SHIPS OF WAR—

Order read, for resuming Adjourned Debate on going into Committee [11th March]:—Main Question again proposed, "That Mr. Speaker do now leave the Chair:"—Debate *resumed* 1300

NAVY—CASE OF MR. JOHN CLARE—Observations, Mr. Biggar; Reply, Mr. A. F. Egerton 1335

THE EASTERN QUESTION—THE CONGRESS—Observations, Sir Robert Peel; Reply, The Chancellor of the Exchequer:—Debate thereon .. 1336

NAVY—CASE OF MR. JOHN CLARE—Observations, Mr. O'Donnell, Mr. Parnell; Reply, Mr. Assheton Cross 1370

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn*:—Committee *deferred* till *To-morrow.*

Weights and Measures Bill [Bill 111]—

Select Committee *nominated*:—List of the Committee 1381

LORDS, FRIDAY, MARCH 15.

PARLIAMENT—THE EASTER RECESS—Question, Earl Granville; Answer, The Earl of Beaconsfield 1381

ST. KATHERINE'S HOSPITAL—THE ROYAL COMMISSION, 1871—Question, Observations, Viscount Enfield; Reply, The Lord Chancellor:—Short debate thereon 1382

ARMY RECRUITING—FRAUDULENT RE-ENLISTMENT—Questions, Observations, The Duke of Bedford, Lord Ellenborough; Reply, Viscount Bury:—Short debate thereon 1384

Contagious Diseases (Animals) Bill (No. 37)—

Select Committee *nominated*:—List of the Committee 1389

Question, The Earl of Feversham; Answer, The Duke of Richmond and Gordon.

VICTORIA—THE MINISTERIAL CRISIS—Question, Observations, The Earl of Kimberley, The Earl of Carnarvon; Reply, Earl Cadogan .. 1390

COMMONS, FRIDAY, MARCH 15.

QUESTIONS.

THE EASTERN QUESTION—TREATIES OF LONDON AND PARIS, 1841, 1856, AND 1871—THE BRITISH FLEET—Notice, Mr. Watkin Williams .. 1394

NEW ZEALAND—CROWN REDRESS (No. 2) ACT—Question, Mr. Courtney; Answer, Sir Michael Hicks-Beach 1395

LAW AND JUSTICE (IRELAND)—SIR JOHN ENNIS—Question, Mr. Sullivan; Answer, Mr. J. Lowther 1396

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ARMY—THE VETERINARY DEPARTMENT—Question, General Shute; Answer, Mr. Gathorne Hardy 1398

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VICTORIA—THE MINISTERIAL CRISIS—Question, Mr. A. Mills; Answer, Sir Michael Hicks-Beach 1400
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THE EASTERN QUESTION—THE TREATY BETWEEN RUSSIA AND TURKEY—COMPLETE REFERENCE TO THE CONGRESS — Question, Sir George Campbell; Answer, Mr. Speaker 1403
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ORDERS OF THE DAY.

SUPPLY—*considered* in Committee—NAVY ESTIMATES—

(In the Committee.)

Departmental Statement of the First Lord of the Admiralty .. 1404
(1.) 60,000 Men and Boys, Sea and Coast Guard Services, including 14,000 Royal Marines.—After debate, Vote *agreed to.*
(2.) £2,702,240, Wages, &c. to Seamen and Marines.—After short debate, Vote *agreed to* 1469
(3.) £1,146,192, Victuals and Clothing for Seamen and Marines.—After short debate, Vote *agreed to* 1469
(4.) £200,760, Admiralty Office.
(5.) £207,510, Coast Guard Service and Royal Naval Reserves, &c.—After short debate, Vote *agreed to* 1469
(6.) £106,041, Scientific Departments.—After short debate, Vote *agreed to* .. 1470
(7.) £76,740, Victualling Yards at Home and Abroad.—After short debate, Vote *agreed to* 1470
(8.) £66,400, Medical Establishments at Home and Abroad.—After short debate, Vote *agreed to* 1471
(9.) £21,139, Marine Divisions.
(10.) £539,115, New Works, Buildings, Machinery, and Repairs.
(11.) £77,230, Medicines and Medical Stores, &c.
(12.) £7,994, Martial Law, &c.
(13.) £134,725, Miscellaneous Services.
(14.) £891,605, Half Pay, Reserved Half Pay, and Retired Pay to Officers of the Navy and Royal Marines.—After short debate, Vote *agreed to* 1471
(15.) £790,297, Military Pensions and Allowances. — After short debate, Vote *agreed to* 1471
(16.) £284,223, Civil Pensions and Allowances.
(17.) £210,250, Freight, &c. on account of the Army Department.—After short debate, Vote *agreed to* 1476
Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

Libel Law Amendment Bill [Bill 81]—

Moved, "That the Bill be now read a second time,"—(*Mr. Hutchinson*) .. 1477
Moved, "That the Debate be now adjourned," — (*Mr. Gregory* :)—Question put:—The House *divided;* Ayes 80, Noes 45; Majority 35.—(Div. List, No. 48:)—Debate *adjourned* till *Tuesday* next.

County Courts Jurisdiction (No. 2) Bill [Bill 102]—

Order read, for resuming Adjourned Debate on Question [27th February], "That the Bill be now read a second time:"—Question again proposed:—Debate *resumed* 1478

County Courts Jurisdiction (No. 2) Bill—continued.

Moved, "That the Debate be now adjourned,"—(*Mr. Herschell:*)—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to:*—Bill read a second time, and *committed* to a Select Committee.

LORDS, MONDAY, MARCH 18.

THE EASTERN QUESTION—RUSSIA AND TURKEY—THE TREATY OF PEACE—Question, Earl Granville; Answer, The Earl of Derby 1480

Bishoprics Bill—

Bill to provide for the foundation of four new Bishoprics in England—*presented* (*The Lord Steward*) 1481

Bill read 1ª. (No. 43.)

COMMONS, MONDAY, MARCH 18.

QUESTIONS.

INDIA—THE SALT LAWS—Question, Mr. Potter; Answer, Lord George Hamilton 1484

PARLIAMENT—PRIVILEGE—PETITIONS—SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL—Questions, Mr. Macartney, Mr. O'Clery; Answers, Sir Charles Forster 1485

LORD CLERK REGISTER FOR SCOTLAND—24 & 25 VICT. c. 71—Question, Mr. Fraser-Mackintosh; Answer, The Chancellor of the Exchequer .. 1486

PUBLIC BUSINESS — MINES — Question, Mr. Macdonald; Answer, The Chancellor of the Exchequer 1487

PARLIAMENT—REPORTING THE DEBATES—Question, Mr. Dillwyn; Answer, The Chancellor of the Exchequer 1487

MINES REGULATION ACT—THE BLANTYRE COLLIERY EXPLOSION—Question, Mr. Burt; Answer, Mr. Assheton Cross 1487

THE EASTERN QUESTION—THE STRAITS OF THE DARDANELLES—Question, Mr. Watkin Williams; Answer, The Chancellor of the Exchequer .. 1488

EDUCATION (SCOTLAND) ACT, 1872—Question, Mr. Dalrymple; Answer, The Chancellor of the Exchequer 1489

ARMY—COURTS OF INQUIRY AND COURTS MARTIAL—Question, Sir Alexander Gordon; Answer, Mr. Gathorne Hardy 1489

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THE EASTERN QUESTION — GREECE AND THE CONGRESS — Question, Mr. Hanbury; Answer, The Chancellor of the Exchequer 1490

MINE ACCIDENTS—LIFE BRIGADES IN MINING DISTRICTS—Question, Sir Eardley Wilmot; Answer, Mr. Assheton Cross 1490

CRIMINAL LAW CONSOLIDATION—LEGISLATION—Question, Mr. Herschell; Answer, The Attorney General 1491

INDIA—LORD'S DAY ACT—Question, Mr. Charley; Answer, Lord George Hamilton 1491

ACCIDENTS IN MINES—Observations, Mr. Macdonald; Reply, Mr. Assheton Cross 1491

Moved, "That this House do now adjourn," — (*Mr. Macdonald:*)—Motion, by leave, *withdrawn.*

H.M.S. "BEAGLE"—JUDICIAL POWERS OF NAVAL COMMANDERS—EXECUTION OF A NATIVE OF TANNA—Question, Mr. Childers; Answer, Mr. W. H. Smith 1494

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

SEAMEN AND MARINES' WIDOWS' PENSION FUND—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the establishment of a Fund to provide Pensions for the Widows of Seamen of the Royal Navy and Royal Marines, such Fund to be supported by contributions from the men themselves and partly by Government aid, would tend to bind the men more closely to the service, check desertion, and prove a salutary and economical measure; and that a Select Committee be appointed to inquire into the best means of establishing such a Fund,"—(*Captain Price*,)—instead thereof 1495

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to.*

CIVIL SERVICE ESTIMATES — Observations, Mr. Dillwyn, General Sir George Balfour; Reply, Colonel Stanley; Observations, Mr. Rylands 1505

SOUTH AFRICA — Observations, Mr. O'Donnell; Reply, Sir Michael Hicks-Beach 1511

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY — *considered* in Committee — CIVIL SERVICE AND REVENUE DEPARTMENTS SUPPLEMENTARY ESTIMATES, 1877-8—

(In the Committee.)

CLASS I.—PUBLIC WORKS AND BUILDINGS.

(1.) £4,400, Royal Palaces.—After short debate, Vote *agreed to* 1516
(2.) £4,100, Marlborough House.—After short debate, Vote *agreed to* .. 1520
(3.) £6,452, Royal Parks and Pleasure Gardens.—After short debate, Vote *agreed to* 1522
(4.) Motion made, and Question proposed, "That a Supplementary sum, not exceeding £3,569, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the completion of the Purchase of the Clockmill Estate, Edinburgh" 1523
After debate, Question put:—The Committee *divided;* Ayes 109, Noes 13; Majority 96. (Div. List, No. 49:)—Vote *agreed to.*
(5.) £150, Harbours, &c. under the Board of Trade.—After short debate, Vote *agreed to* 1534
(6.) £651, Wellington Monument.—After short debate, Vote *agreed to* .. 1537
(7.) £9,000, Natural History Museum.—After short debate, Vote *agreed to* .. 1538
(8.) £9,545, Public Offices Site.—After short debate, Vote *agreed to* .. 1539
(9.) £10,200, Science and Art Museum, Dublin.—After short debate, Vote *agreed to* 1541
(10.) £2,630, Lighthouses Abroad.—After short debate, Vote *agreed to* .. 1543

CLASS 2.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

(11.) £1,200, Treasury.—After short debate, Vote *agreed to.* 1544
(12.) £350, Colonial Office.
(13.) Motion made, and Question proposed, "That a Supplementary sum, not exceeding £1,750, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Salaries and Expenses of the Civil Service Commission" 1546
After short debate, Question put:—The Committee *divided;* Ayes 191, Noes 8; Majority 183.—(Div. List, No. 50.)
(14.) £50,412, Local Government Board.—After short debate, Vote *agreed to* .. 1548
(15.) £4,000, Mint, including coinage.—After short debate, Vote *agreed to* .. 1552
(16.) £1,229, Patent Office.
(17.) £1,350, Public Works Loan Commission, and West India Islands Relief Commission.—After short debate, Vote *agreed to* 1553
Motion made, and Question proposed, "That a sum, not exceeding £100, be granted to Her Majesty, to defray the charge which will come in course of payment during the year ending on the 31st day of March 1878, as a grant in aid of the preparation and publication of 'Hansard's Parliamentary Debates'" .. 1555
After short debate, Motion, by leave, *withdrawn.*
(18.) £871, Chief Secretary for Ireland Offices.—After short debate, Vote *agreed to* .. 1557

SUPPLY—CIVIL SERVICE, &c. ESTIMATES—Committee—*continued.*

CLASS 3.—LAW AND JUSTICE.

(19.) £23,400, Law Charges.—After short debate, Vote *agreed to* 1558
(20.) £16,000, Criminal Prosecutions, Sheriffs' Expenses, &c.
(21.) £2,000, London Bankruptcy Court.
(22.) £13,598, County Courts.
(23.) £5,300, County Prisons, Great Britain.
(24.) £6,056, Reformatory and Industrial Schools, Great Britain.
(25.) £1,065, Register House Departments, Edinburgh.
(26.) £1,260, Law Charges and Criminal Prosecutions (Ireland).
(27.) £210, Court of Bankruptcy (Ireland).

CLASS 4.—EDUCATION, SCIENCE, AND ART.

(28.) £60,000, Public Education (England and Wales).
(29.) £350, National Gallery.
(30.) Motion made, and Question proposed, "That a Supplementary sum, not exceeding £352, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Queen's University in Ireland" 1560

Motion made, and Question proposed, "That a Supplementary sum, not exceeding £121, be granted, &c.,"—(*Mr. O'Donnell*:)—After short debate, Question put:—The Committee *divided;* Ayes 18, Noes 118: Majority 100.—(Div. List, No. 51.)

Original Question again proposed:—Motion made, and Question proposed, "That a Supplementary sum, not exceeding £296, be granted, &c.,"—(*Major Nolan*) .. 1575

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Meldon*:)—After short debate, Question put:—The Committee *divided;* Ayes 17, Noes 113; Majority 96.—(Div. List, No. 52.)

Question put, "That a Supplementary sum, not exceeding £296, be granted, &c.:"—The Committee *divided;* Ayes 16, Noes 113; Majority 97.—(Div. List, No. 53.)

Original Question again proposed:—Motion made, and Question put, "That a Supplementary sum, not exceeding £316, be granted, &c.,"—(*Mr. Patrick Martin*:)—The Committee *divided;* Ayes 16, Noes 113; Majority 97.—(Div. List, No. 54.)

Original Question again proposed:—Motion made, and Question put, "That a Supplementary sum, not exceeding £335, be granted, &c.,"—(*Mr. O'Clery*:)—The Committee *divided;* Ayes 16; Noes 114; Majority 98.—(Div. List, No. 55.)

Original Question again proposed:—Motion made, and Question put, "That a Supplementary sum, not exceeding £340, be granted, &c.,"—(*Lord Francis Conyngham*:)—The Committee *divided;* Ayes 16, Noes 114; Majority 98.—(Div. List, No. 56.)

Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow,* at Two of the clock; Committee to sit again *To-morrow,* at Two of the clock.

Blind and Deaf-Mute Children (Education) (*re-committed*) **Bill**

Moved, "That the House go into Committee on the Bill,"—(*Mr. Wheelhouse*) 1579

Committee *deferred* till *To-morrow.*

SITTINGS OF THE HOUSE—

Resolved, That the sitting of this House at Two of the clock To-morrow be held subject to the Resolution of the House of the 30th day of April, 1869.

Marine Mutiny Bill—*Ordered* (*Mr. William Henry Smith, Mr. Algernon Egerton, Sir Massey Lopes*); *presented,* and read the first time 1579

LORDS, TUESDAY, MARCH 19.

THE PATENT LAWS—LEGISLATION—Question, Observations, Earl Granville; Reply, The Lord Chancellor 1579

THE EASTERN QUESTION—RUSSIA AND TURKEY—THE TREATY OF PEACE—Question, Earl Granville; Answer, The Earl of Derby 1580

Medical Act, 1858, Amendment Bill—

Bill to amend the Medical Act, 1858—*presented* (*The Lord President*) .. 1581

After short debate, Bill read 1ª. (No. 44.)

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India—The Press Laws—Question, Mr. Sullivan; Answer, Lord George Hamilton 1592

Mines Regulation Act—The Blantyre Colliery Explosion—Question, Mr. Macdonald; Answer, Mr. Assheton Cross 1592

Mercantile Amendment Act, 1856—Bills of Exchange—Question, Mr. Stanton; Answer, The Attorney General 1592

The Eastern Question—The Congress—Question, Sir Robert Peel; Answer, Mr. Bourke 1593

The Turkish Loan of 1855—Question, Mr. Dodson; Answer, The Chancellor of the Exchequer 1594

The Eastern Question—Russia—The Terms of Peace—Question, Mr. J. Goldsmid; Answer, The Chancellor of the Exchequer .. 1595

Indian Taxation Petition—Petition *presented,* Mr. Fawcett .. 1596

ORDERS OF THE DAY.

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

The Indian Press Law—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "legislation for our Indian fellow-subjects subversive of fundamental principles of the British Constitution should not be adopted without this House being previously consulted upon the urgent necessity of such a course,"—(*Mr. O'Donnell,*)—instead thereof 1596

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—Civil Services, Supplementary Estimates, 1877-8.

(In the Committee.)

Class V.—Colonial, Consular, and other Foreign Services.

(1.) £20,033, Diplomatic Services.—After short debate, Vote *agreed to* .. 1606
(2.) £2,090, Colonies, Grants in Aid.
(3.) £400, Suez Canal (British Directors).—After short debate, Vote *agreed to* .. 1611
(4.) £6,326, Treasury Chest.

Class VI.—Superannuation and Retired Allowances, and Gratuities for Charitable and other Purposes.

(5.) £6,000, Superannuations and Retired Allowances.
(6.) £3,000, Relief of Distressed British Seamen Abroad.
(7.) £18,000, Commutation of Annuities.—After short debate, Vote *agreed to* .. 1611

Class VII.—Miscellaneous, Special, and Temporary Objects.

(8.) Motion made, and Question proposed, "That a Supplementary sum, not exceeding £8,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Salaries and Incidental Expenses of Temporary Commissions" 1612

Motion made, and Question, "That the item of £4,633 for Remuneration to three Commissioners for considering the Local Government and Taxation of Towns in Ireland, be reduced by the sum of £2,319,"—(*Mr. O'Donnell,*)—put, and *negatived.*

SUPPLY—CIVIL SERVICES, SUPPLEMENTARY ESTIMATES, 1877-8—Committee—*continued.*

Original Question put, and *agreed to.*

(9.) £2,500, Miscellaneous Expenses—After short debate, Vote *agreed to* .. 1615

(10.) £11,300, Epping Forest Commission.—After short debate, Vote *agreed to* .. 1616

(11.) £6,218, Mediterranean Extension Telegraph Company.

(12.) £640, Ashantee Expedition, Gratuities and Prize Pay.

(13.) £5,000, Grant to Lord Cochrane.

(14.) £5,239, Repayments to the Civil Contingencies Fund.—After short debate, Vote *agreed to* 1617

REVENUE DEPARTMENTS.

(15.) £2,237, Post Office Telegraph Disallowances.—After short debate, Vote *agreed to* 1623

ARMY SUPPLEMENTARY ESTIMATE, 1877-8.

(16.) £150,000, Provisions, Forage, Fuel and Light, Transport, &c.—After short debate, Vote *agreed to* 1623

NAVY SUPPLEMENTARY ESTIMATE, 1877-8.

(17.) £35,800, Army Department (Conveyance of Troops).

CIVIL SERVICES AND REVENUE DEPARTMENTS, EXCESSES 1876-7.

(18.) Motion made, and Question proposed, "That a sum, not exceeding £12,814 6*s.* 5*d.*, be granted to Her Majesty to make good Excesses on certain Grants for Civil Services and Revenue Departments, for the year ended on the 31st day of March 1877, viz.:— 1625

[Then the several Classes set forth.]

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £12,034 4*s.* 6*d.*, be granted, &c,"—(*Major Nolan*:)—After further short debate, Question put:—The Committee *divided;* Ayes 11, Noes 294; Majority 283.—(Div. List, No. 57.)

Original Question put, and *agreed to.*

Resolution to be reported *To-morrow;* Committee to sit again *To-morrow.*

SUPPLY—REPORT—Resolutions [18th March] *reported* 1632

First Twenty-nine Resolutions *agreed to.*

The last Resolution read a second time.

Moved, "That this House doth agree with the Committee in the said Resolution:" — After short debate, Question put: — The House *divided;* Ayes 237, Noes 16; Majority 221.—(Div. List, No. 58.)

And it being now ten minutes to Seven of the clock, the House suspended its sitting.

The House resumed its sitting at Nine of the clock.

MOTIONS.

AMERICAN MAIL SERVICE—RESOLUTION—

Moved, "That, in the opinion of this House, the time for monopoly in the American Mail Service has passed, and the recent change made by the Government, after a period of freedom, in re-establishing monopoly and subsidizing favoured Companies by paying them nearly double the rates paid by the American Government, and lately paid by ourselves, is wrong in principle and prejudicial to the public service,"—(*Mr. Anderson*) 1633

After debate, Question put:—The House *divided;* Ayes 92, Noes 117; Majority 25.—(Div. List, No. 59.)

ENDOWED SCHOOLS (LEEDS POORS ESTATE)—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to refuse Her assent to the scheme of the Endowed Schools Commissioners for the management of the Poors Estate, in the parish of Leeds, in the county of York,"—(*Mr. Barran*) 1657

After debate, Question put:—The House *divided;* Ayes 55, Noes 101; Majority 46.—(Div. List, No. 60.)

WAYS AND MEANS—

Considered in Committee.

(In the Committee.)

(1.) *Resolved*, That, towards making good the Supply granted to Her Majesty for the service of the years ending on the 31st day of March, 1877 and 1878, the sum of £1,537,047 6*s*. 5*d*. be granted out of the Consolidated Fund of the United Kingdom.

(2.) *Resolved*, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1879, the sum of £12,000,000 be granted out of the Consolidated Fund of the United Kingdom.

Resolutions to be reported *To-morrow ;* Committee to sit again *To-morrow*.

Freshwater Fish Protection Bill—*Ordered* (*Mr. Mundella, Mr. James Duff, Mr. Michael Bass, Mr. Spencer Stanhope*); *presented*, and read the first time [Bill 131] .. 1672

COMMONS, WEDNESDAY, MARCH 20.

ORDERS OF THE DAY.

Tenants Improvements (Ireland) Bill [Bill 13]—

Moved, "That the Bill be now read a second time,"—(*Mr. Patrick Martin*) 1673

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Bruen*.)

Question proposed, "That the word 'now' stand part of the Question:"—After debate, Question put:—The House *divided ;* Ayes 17, Noes 258; Majority 241.—(Div. List, No. 61.)

Words *added :*—Main Question, as amended, put, and *agreed to :*—Second Reading *put off* for six months.

Money Laws (Ireland) Bill [Bill 56]—

Moved, "That the Bill be now read a second time,"—(*Mr. Delahunty*) .. 1699

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Anderson*.)

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow*.

WAYS AND MEANS—
Consolidated Fund (No. 2) Bill—

Resolutions [March 19] *reported*, and *agreed to :*—Bill *ordered* (*Mr. Raikes, Mr. Chancellor of the Exchequer, Colonel Stanley*); *presented*, and read the first time .. 1706

LORDS, THURSDAY, MARCH 21.

COLONY OF VICTORIA—THE MINISTERIAL CRISIS—Question, The Earl of Kimberley; Answer, Earl Cadogan 1706

Public Baths and Washhouses Bill (No. 39)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Houghton*) .. 1707

Motion *agreed to :*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

THE EASTERN QUESTION—RUSSIA AND THE PORTE—THE CONFERENCE—ADDRESS FOR CORRESPONDENCE—

Moved, "That an humble Address be presented to Her Majesty for any recent diplomatic correspondence with Her Majesty's Government on the terms of peace between Russia and the Porte,"—(*The Lord Stratheden and Campbell*) 1707

After debate, Motion (by leave of the House) *withdrawn*.

COMMONS, THURSDAY, MARCH 21.

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PARLIAMENT — PUBLIC PETITIONS COMMITTEE — FICTITIOUS PETITIONS — REPORT—Special Report *brought up*, and read 1737

Moved, "That the Special Report do lie upon the Table."

Amendment proposed,

To leave out from the word "Report" to the end of the Question, in order to add the words "be referred back to the Public Petitions Committee, and that they inquire into the circumstances connected with the Petitions mentioned in the said Report, and make a Report thereupon to the House,"—(*Mr. Meldon*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, *Moved*, "That the Debate be now adjourned,"—(*Sir Wilfrid Lawson:*)—After further short debate, Question put, and *agreed to*:—Debate *adjourned* till *Monday* next.

Ordered, That the Special Report be printed [No. 97.]

QUESTIONS.

INDIA—THE FAMINE—THE CENSUS—Question, Mr. Potter; Answer, Lord George Hamilton 1742

INDIA—FORT GEORGE WATER SUPPLY—Question, Sir George Douglas; Answer, Lord Eustace Cecil 1742

NAVY—THE "INDEPENDENCIA"—Question, Admiral Egerton; Answer, Mr. W. H. Smith 1743

H.M.S. "BEAGLE" — EXECUTION OF A NATIVE OF TANNA — JUDICIAL POWERS OF NAVAL COMMANDERS—Questions, Lord Francis Hervey, Mr. Childers; Answers, Mr. W. H. Smith 1744

MINING ACCIDENTS—THE KILSYTH EXPLOSION—Question, Mr. Macdonald; Answer, The Lord Advocate 1745

PUBLIC HEALTH, DUBLIN—Questions, Mr. Meldon, Mr. Gray; Answers, Mr. J. Lowther 1745

SHERIFF CLERKS (SCOTLAND)—SALARIES—Question, Mr. Fraser-Mackintosh; Answer, The Lord Advocate 1747

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COUNTY GOVERNMENT BILL—Question, Mr. Bowen; Answer, Mr. Sclater-Booth 1749

THE NATIONAL PORTRAIT GALLERY, SOUTH KENSINGTON—Question, Mr. W. Cartwright; Answer, Mr. Gerard Noel 1749

RESIDENT MAGISTRATES (IRELAND) — THE WATERFORD MAGISTRACY — Question, Mr. Blennerhassett; Answer, Mr. J. Lowther .. 1750

EDUCATION CODE, 1878, ART. 17 (G).—EDUCATIONAL RETURNS—Question, Mr. P. A. Taylor; Answer, Viscount Sandon 1751

ARMY—THE DEFENCES OF THE CLYDE—Question, Mr. James Stewart; Answer, Lord Eustace Cecil 1752

THE INDIAN BUDGET 1878-9—Question, General Sir George Balfour; Answer, Lord George Hamilton 1752

EDUCATION CODE, 1878, ART. 19—Question, Mr. A. Mills; Answer, Viscount Sandon 1753

THE EASTERN QUESTION — CIRCULAR REMONSTRANCE OF PRINCE GORTCHAKOFF (1856)—Question, Captain Pim; Answer, Mr. Bourke .. 1754

THE EASTERN QUESTION—THE FLEET IN THE DARDANELLES—Questions, Mr. Watkin Williams, Lord Elcho; Answers, The Chancellor of the Exchequer 1754

NAVY—ROMAN CATHOLIC CHAPLAINS—Questions, Mr. Newdegate; Answers, Mr. W. H. Smith 1756

H.M.S. "BEAGLE" — EXECUTION OF A NATIVE OF TANNA — JUDICIAL POWERS OF NAVAL COMMANDERS — Question, Mr. A. M'Arthur; Answer, Sir Michael Hicks-Beach 1756

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India—The Maharajah Scindiah—Question, Mr. O'Donnell; Answer, Lord George Hamilton 1757
Navy—Case of Mr. John Clare—Question, Mr. O'Donnell; Answer, Mr. W. H. Smith 1757
India—The Licence Tax Act—Question, Mr. O'Donnell; Answer Lord George Hamilton 1758
Penal Servitude Commission—Fenian Convicts—Question, Mr. Ryder; Answer, Mr. Assheton Cross 1758

ORDER OF THE DAY.

Roads and Bridges (Scotland) Bill [Bill 4]—
Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*The Lord Advocate*) 1759
Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Colonel Alexander,*)—instead thereof.
Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 104, Noes 5; Majority 99.—(Div. List, No. 62.)
Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*
Bill *considered* in Committee 1787
After long time spent therein, Committee report Progress; to sit again upon *Thursday* next.

LORDS, FRIDAY, MARCH 22.

Education (Scotland) Bill—
Bill to further amend the provisions of the Law of Scotland on the subject of Education, and for other purposes connected therewith—*Presented* (*The Lord President*) 1827
After short debate, Bill read 1ª. (No. 47.)

Army—The Mutiny Act—Observations, The Earl of Galloway; Reply, Viscount Bury:—Short debate thereon 1831

COMMONS, FRIDAY, MARCH 22.

QUESTIONS.

Parliament—Standing Orders—Hybrid Bills—Question, Mr. Gorst; Answer, Mr. Raikes 1837
Intermediate Education (Ireland) — Legislation — Question, Mr. P. Martin; Answer, Mr. J. Lowther 1838
Coast Defence — Submarine Mines — Question, Sir Wilfrid Lawson; Answer, Lord Eustace Cecil 1838
School Boards — Education Rate — Question, Mr. Goddard; Answer, Viscount Sandon 1839
Gibraltar—Sanitary Condition—Question, Mr. Goddard; Answer, Sir Michael Hicks-Beach 1839
Navy—Admiralty Payments—Question, Colonel Makins; Answer, Mr. W. H. Smith 1840
The Isle of Man — Vaccination — Questions, Mr. Hick, Mr. John Bright; Answers, Mr. Assheton Cross 1840
Mines Acts—Inspectors' Reports—Question, Mr. Clive; Answer, Sir Henry Selwin-Ibbetson 1841

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE DECLARATION OF PARIS—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the state of International Law with reference to Maritime Belligerent Rights is unsatisfactory, and calls for the careful attention of Her Majesty's Government,"—(*Sir John Lubbock*,)—instead thereof .. 1842

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put, and *agreed to.*

Main Question proposed, "That Mr. Speaker do now leave the Chair." Original Motion, by leave, *withdrawn:* — Committee *deferred* till *Monday* next.

Factories and Workshops Bill [Bill 126]—

Moved, "That the Bill be now taken into Consideration," — (*Mr. Assheton Cross*) 1909

Moved, "That the further proceeding on Consideration of the Bill, as amended, be adjourned,"—(*Mr. Chamberlain*:)—Motion, by leave, *withdrawn.*

Amendments made:—Bill to be read the third time upon *Monday* next.

Ecclesiastical Buildings (Fire Insurance) Bill [Bill 99]—

Moved, "That the Bill be now read a second time,"—(*Mr. Leighton*) .. 1913

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Monk.*)

Question proposed, "That the word 'now' stand part of the Question:" —After short debate, Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to*:—Bill read a second time, and *committed* to a Select Committee:—List of the Committee 1923

Monuments (Metropolis) Bill—*Ordered* (*Sir James M'Garel-Hogg, Sir Charles Russell, Mr. Forsyth*); *presented,* and read the first time [Bill 133] .. 1924

LORDS, MONDAY, MARCH 25.

INDIA—THE DECCAN—REMOVAL OF MR. OLIPHANT—Question, Observations, Viscount Halifax; Reply, The Marquess of Salisbury 1924

FOUNDERING OF H.M.S. "EURYDICE"—Question, Lord Sudeley; Answer, Lord Elphinstone 1925

DOVER HARBOUR—MOTION FOR PAPERS—

Moved that there be laid before the House, Copy of the recent Reports on Dover Harbour,—(*The Earl Granville*) 1927

After short debate, Motion *agreed to.*

SCIENCE AND ART—MUSEUM OF CASTS FROM THE ANTIQUE—Questions, Observations, The Earl of Wharncliffe:—Short debate thereon:—Reply, The Earl of Beaconsfield 1937

COMMONS, MONDAY, MARCH 25.

QUESTIONS.

POOR LAW (IRELAND)—CAVAN UNION—CASE OF ANNE SPINKS — Question, Mr. Kavanagh; Answer, Mr. J. Lowther 1946

CRIMINAL LAW—THE QUEEN v. CASTRO—ARTHUR ORTON—Question, Mr. Blake; Answer, Sir Michael Hicks-Beach 1947

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ENDOWED SCHOOLS (SCOTLAND)—LEGISLATION—Question, Mr. C. S. Parker; Answer, Mr. Assheton Cross 1947
LAW AND JUSTICE (IRELAND)—CHARGE OF MR. JUSTICE KEOGH—Questions, Observations, Mr. Sullivan; Reply, Mr. J. Lowther 1949

Moved, "That this House do now adjourn,"—(*Mr. Sullivan:*)—After short debate, Motion, by leave, *withdrawn*.

COPYRIGHT AND DESIGNS ACT—MARKS ON CHINA AND POTTERY—Question, Sir Charles Russell; Answer, The Chancellor of the Exchequer .. 1954
GREECE AND CRETE—Questions, Sir Charles W. Dilke, Mr. Baxter; Answer, Mr. Bourke 1955
PRIVATE BILLS — BRADFORD TRAMWAY COMPANY—Question, Mr. W. E. Forster; Answer, Colonel Stanley 1956
THE EASTERN QUESTION—RUSSIA AND TURKEY—TREATY OF SAN STEFANO —Question, Mr. Courtney; Answer, The Chancellor of the Exchequer; Observations, Mr. Gathorne Hardy 1957
THE EASTERN QUESTION—THE DALMATIAN FRONTIER—Question, Mr. W. H. James; Answer, Mr. Bourke 1957
CIVIL SERVICE ESTIMATES (SUPPLEMENTARY)—CLASS I., VOTE 4—THE CLOCKMILL ESTATE—Question, Sir Windham Anstruther; Answer, Mr. W. H. Smith 1958
PRIVATE BILL BUSINESS—Question, Mr. Thomson Hankey; Answer, The Chancellor of the Exchequer 1958
SPAIN—SLAVERY IN CUBA—Question, Sir Charles W. Dilke; Answer, Mr. Bourke 1958
FOUNDERING OF H.M.S. "EURYDICE"—Question, Mr. Goschen; Answer, Mr. W. H. Smith 1959

ORDERS OF THE DAY.

PARLIAMENT—PUBLIC PETITIONS COMMITTEE—FICTITIOUS PETITIONS—
Order read, for resuming Adjourned Debate on Amendment proposed to Question [21st March], "That the Special Report do lie upon the Table:"—Question again proposed:—Debate *resumed* .. 1961

Question put, and *negatived.*

Question proposed,

"That the words 'be referred back to the Public Petitions Committee, and that they inquire into the circumstances connected with the Petitions mentioned in the said Report, and make a Report thereupon to the House,' be there added" .. 1972

Amendment proposed to the proposed Amendment,

To insert, after the words "the said Report," the words "and all other Petitions presented to the House during this Session for and against the Sale of Intoxicating Liquors on Sunday (Ireland) Bill,"—(*Mr. Maurice Brooks.*)

Question proposed, "That those words be there inserted:"—After short debate, Amendment to Amendment, by leave, *withdrawn*.
Main Question, as amended, put, and *agreed to.*

Mutiny Bill—
Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Gathorne Hardy*) 1976
After short debate, Question put:—The House *divided;* Ayes 128, Noes 12; Majority 116.—(Div. List, No. 65.)
Bill *considered* in Committee.
After long time spent therein, Committee report Progress; to sit again *To-morrow*, at Two of the clock.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FIFTH SESSION OF THE *TWENTY-FIRST PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 5 MARCH, 1874, AND THENCE CONTINUED
TILL 17 JANUARY, 1878, IN THE FORTY-FIRST YEAR OF THE
REIGN OF

HER MAJESTY QUEEN VICTORIA.

SECOND VOLUME OF THE SESSION.

HOUSE OF COMMONS,

Wednesday, 20*th February*, 1878.

MINUTES.]—NEW MEMBER SWORN—James Lowther, esquire, *for* York City.

PUBLIC BILLS—*Second Reading*—Waste Lands (Ireland) [18], *put off;* Queen's Colleges and University (Ireland) [26], *debate adjourned;* Matrimonial Causes Acts Amendment * [117]; Local Government Provisional Orders (Bristol, &c.) * [112].

Select Committee—Merchant Seamen * [79], *nominated.*

ORDERS OF THE DAY.

WASTE LANDS (IRELAND) BILL.

(*Mr. John George MacCarthy, Mr. Herbert, Mr. Downing, Mr. Shaw.*)

[BILL 18.] SECOND READING.

Order for Second Reading read.

MR. JOHN GEORGE MACCARTHY, in moving that the Bill be now read a second time, said: I hope that even amidst the anxieties of Continental politics the House will be able to afford its attention to a careful and well-considered proposal, made and supported by experienced men of the most divergent political views, in the honest belief that its adoption would confer an immense political benefit on Ireland, and would conduce to the stability of the Empire. Whatever may have been the case in past times, and whatever may be said to the contrary now, I, for one, believe that it is impossible to be for any time a Member of this House, and permitted to enjoy friendly personal intercourse with its Members, without perceiving that as individuals you intend well to Ireland. But I may be allowed to remind the House that there is a certain most un-Parliamentary locality which is proverbially said to be actually paved with good intentions. At any rate, it must be admitted by even the most cheerful optimist, that this present

Parliament, as elected in 1874, has done very little indeed to give practical effect to these good intentions. You have done nothing in this Parliament for any class or interest in Ireland. The gravest problems of Irish life—material, moral, social, and intellectual—still remain to be solved. You not only have not solved them, but you have not even attempted their solution. You not only have not attempted their solution, but you have deemed it your duty in debate after debate, in division after division, week after week, Session after Session, year after year, to reject the solutions proposed by the majority of the Representatives of the Irish people. I am sure that many hon. Members of the Government, and of the House, must have regretted these reiterated, peremptory, almost invariable, rejections of the proposals which Irish Members have from time to time brought forward for the improvement of their own country. For myself, I may say that I rarely vote on any measure exclusively affecting the domestic affairs of England or Scotland; because I deem it hard that the vote and the judgment of an English or Scotch Member about matters of which he has a life-long knowledge, and in which he has the deepest interest, should be countervailed by the vote of a person like myself, who, however well he may intend towards England or Scotland, can really know very little about the exclusively domestic affairs of these countries. If I were in the habit of giving such votes, I should be disposed to regulate them very much in accordance with the opinions of the majority of English or Scotch Members on the subject-matters in hand. I should say to myself—"These hon. Members are the Constitutional Representatives of their own country; they speak with the authority which the Constitution gives them for this very purpose; they speak with a full knowledge of facts which I can know only most imperfectly; they speak of what concerns themselves, and their fortunes, and their children, and their fellow-countrymen. It would be monstrous that I should set my guesses about England against their life-long experience, or interpose my external interference in what really only concerns themselves and their fellow-countrymen." This feeling is shared by most of my hon. Colleagues from Ireland. I believe that such reluctance to obstruct your wishes, as regards your own country, would be still greater if we were more powerful. Suppose this Imperial Assembly were held in Dublin; suppose the vast majority of its Members were Irish and Roman Catholics; suppose you English and Scotch Members were a small minority, expressing the opinions and pleading for the interests of your own countrymen; how would you like to be told—in debate after debate, Session after Session—that you knew nothing about your own country, that your facts were all fancies, that your conclusions were all fallacies? How would you feel if your most careful and earnest proposals about the affairs of your own country were voted down by what Mr. Froude might call "Brutal majorities" of Irishmen and Roman Catholics? That would be a shameful injustice; but pray consider, are you not actually perpetrating a precisely similar injustice upon Ireland by this peremptory, incessant, and scornful rejection of the proposals of the majority of the Representatives of the Irish people? I am sure many hon. Members must feel this, and must be anxious to find some measure put forward by Irish Members to which they can assent. I believe you ought to have assented to nearly every measure we have proposed; but, however this may be, I submit that a perfectly unobjectionable proposal is to be found in the Bill which I have now the honour to move. It proposes to deal with one of the greatest and gravest problems of Irish agricultural life. There is no one fact in the material condition of Ireland so remarkable, and none so absolutely unquestionable, as the fact to which I now call your attention, and which you will find verified in the admirably prepared statistics of the Registrar General for 1876-7—the fact, namely, that of the 20,000,000 of Irish acres more than 4,000,000 of acres are lying waste. The exact figures are as follows: — Total agricultural acreage, 20,327,764 acres; waste lands included in this acreage, 4,572,216 acres. Now, Sir, I submit that this is a very grave fact, indeed, one worthy of the attention of Parliament; one not to be airily put aside by any amount of graceful badinage. It is quite idle to say that it is not an evil in a poor agricultural country to have one-fifth of the soil waste; it is quite idle to say that nothing can be done to diminish this evil. In every country in Europe the Government looks on its waste lands as a stain on its map, and energetically applies itself to the removal of the stain. In Ireland the stain covers one-fifth of the whole area, yet our Government does nothing effectual to remove it. Such is the evil for the diminution of which this Bill is intended. Permit me to state the mode in which it is proposed to diminish it. In this matter my friends and I have made an important, and, as we admit, a desirable alteration, in deference to the views of the Government expressed—in the second reading of a Bill which I had the honour to bring in in 1875—by the right hon. Baronet (Sir Michael Hicks-Beach), who then administered with so much ability the Office of Chief Secretary to the Lord Lieutenant of Ireland. On that occasion the right hon. Baronet was good enough to say—

> "The attention of the House could hardly be occupied with any question of greater importance to Ireland;"

and, after stating his objections to the measure in the shape in which it was then proposed, he made the following important suggestion:—

> "If anything could be done by way of Government interference to secure that works of arterial drainage should be more generally and thoroughly carried out than they were at present, that, indeed, would be a matter which the State might reasonably undertake."—[3 *Hansard*, ccxxv. 1461-1464.]

Encouraged and guided by this expression of Governmental opinion, I consulted not only with my Parliamentary Colleagues but with friends outside, who have given the subject years of thought and labour—Mr. O'Malley, the distinguished Conservative lawyer, to whom I am indebted for the most skilful preparation of this Bill; Mr. Joynt, the able and accomplished Crown and Treasury Solicitor for Ireland, whose treatise on this subject in 1865 led to important alterations in the law; Mr. Brett, the eminent chief engineer, who had 50 years' practical experience of reclamation in various parts of Ireland; and other thoughtful and experienced friends. The result is that we have adopted the suggestion of the right hon. Baronet, and made arterial drainage the main feature of this Bill. On further consideration, we concur with the right hon. Baronet in thinking that this is a wise modification of the original proposal. Though high mountain lands are being every year successfully reclaimed, on the Alps, in the Pyrenees, and in Scotland; nevertheless, as M. De Lavergne, in his *Economie Rurale de L'Irlande*, points out, the drainage of our low-lying lands may be more easily and more profitably undertaken; and it is, as he says, a more intolerable evil to have the vast tracts of our natural meadows, the peculiar and priceless treasure of our soil and climate left a prey to weeds and waters. That such marshes are extensive may, unhappily, be perceived by any traveller in Ireland—you see those vast, dreary swamps in all directions. Master Fitzgibbon, the able and learned father of the present distinguished Solicitor General for Ireland, calling attention to the subject in 1869, says—

> "The traveller, in whatever direction he moves, sees at intervals vast tracts of land saturated with water. In numberless instances, these tracts are intersected by rapid streams fed by the water which the saturated soil cannot absorb, and thus inviting the hand of man to tap the sponge and let off the stagnant water which feeds the rush and the wood, but destroys every succulent plant. There are also vast regions of marsh which, though capable of abundant reproductive cultivation, have been for centuries and to this day still continue to be dismal swamps."

But thanks to the care of the Registrar General, we are this year enabled to give the exact acreage of these dismal swamps. Sub-dividing the vast total of waste lands, he informs us that such swamps cover the enormous area of 1,713,472 acres, or more than one-twelfth of the whole country. This extraordinary fact is explained by the peculiar physical structure of the Island. Ireland is shaped like a cup, the mountains being round the coast and the central plains being low-lying. Hence, if you want effectually to improve the agricultural condition of Ireland, you must realize the physical conditions of the problem, and from this point of view it is evident that the first requirement is that which the right hon. Baronet suggested, and which this Bill proposes to promote—arterial drainage. Accordingly, arterial drainage has for many years occupied the attention of those who wished really to improve Ireland. There is a mass of complicated legislation on the subject; but the true story of the work of arterial drainage in latter years may be briefly told. Its real commencement is the Act of 5 & 6 *Vict.* c. 89, passed in 1842 by the late Sir Robert Peel. That measure was marked by the largeness of view and boldness of treatment which characterized that great statesman. It enabled the Board of Works, as a Department of the State, to undertake the great national work of arterial drainage, charging the cost in the usual way on the lands improved. The fate of the measure is interesting. It was no sooner passed than an immense impetus was given to arterial drainage. Four hundred and fifty-two vast districts were surveyed. Of these, 122 districts, comprising 270,000 acres, were reclaimed. But in the midst of the work came the Famine. Under the pressure of that terrible calamity financial considerations were overlooked, and the drainage works were treated rather as measures of poor relief than of remunerative investment. Money was spent with both hands, and when it came to be repaid, poor rates had risen to 16*s.* in the pound, and fee simple lands were being sold with Parliamentary title at five years' purchase. Something like a panic ensued. A Parliamentary inquiry was held. Large remissions had to be made, and the undertaking of new works under this Act was virtually prohibited. It was only in 1863 that the effects of this panic somewhat subsided. In that and subsequent years, Acts on a different principle were passed, proposing to accomplish arterial drainage by local and individual effort; but under the superintendence of the Board, and with money supplied by the State. It is not too much to say that those Acts have proved a failure. Only 26 districts in all were surveyed; only 20 districts, comprising in the aggregate 90,000 acres, were reclaimed. There are now but six districts in which anything is being done; and in the whole year 1877 there were but two applications. In fact, the great national work of arterial drainage is at a standstill. Of 452 districts, originally proposed to be reclaimed under the Act of 1842, and which were estimated to be completed in 10 years, more than 300 districts still remain utterly unattended to; and we have it on the authority of the Parliamentary Report of 1844 that these districts include some of the richest and most naturally productive lands in Ireland. Nay, more, we must remember that the drainage of particular farms and estates in most instances depends on the pre-existence of arterial drainage. The State having abandoned the latter, individual proprietors and farmers have, in a great number of instances, abandoned the former; and thus, in almost every part of Ireland, you find land which had been reclaimed reverting into its primeval condition of swamp. Thus it happens that the acreage of waste lands in Ireland, notwithstanding the reclamations which have been effected, is nearly as great as it was 30 years ago. It is now proposed to revert to the vigorous and statesmanlike policy of the late Sir Robert Peel. The present Bill is nearly identical in principle with the Act of 1842. It provides that on proper application by proprietors, and due inquiry by Inspectors, and due notice to all interested, and with the consent of at least half of them, the work of arterial drainage should be done by the Commissioners, the expenditure being charged in the usual way on the lands reclaimed. It abolishes the cumbrous and costly proceeding by Provisional Order, and substitutes the consent of the Lord Lieutenant. It authorizes the board to purchase waste lands, and after the main drainage has been effected to divide them into allotments, and sell them to occupiers who may complete the works of reclamation, and by a system of gradual payments ultimately become peasant proprietors. It gives to the board the usual power of raising money on debenture, and it adds a clause which I specially commend to the attention of the House, extending the power of borrowing under the Land Improvement Act to the smaller class of farmers, who in reality must need such loans, and who, under the provisions of the Land Act, have valid security to offer. Such is the measure for which I now earnestly ask the friendly consideration of those who, irrespective of Party, wish to confer a practical and permanent benefit on all classes of Irishmen. It may be objected that we propose to revive a system which has failed, which was discontinued by the recommendation of a Parliamentary Committee, and which cost the Treasury more than £1,250,000. To this I answer, the Act of 1842 did not fail. It reclaimed 270,000 acres in 10 years, as against 90,000 reclaimed ever since. Its operation was discontinued in a panic, and at a time of exceptional disaster. The remissions were made under the peculiar circumstances of the Famine, and on the express ground that the expenditure was rather for famine relief than for land improvements. It may be urged, as it was urged upon the last occasion, that the great experiment at King Williamstown resulted in a loss to the Treasury; but I am sure this objection will not be pressed when I remind the House that the King Williamstown experiment proceeded on the radically wrong plan, of the State undertaking not only arterial drainage, but agricultural reclamation. That is not the plan of this Bill. On the contrary, you will see on reference to Section 20, that it is a plan, the adoption of which by the Commissioners this Bill expressly forbids. But it may be said, as on the last occasion it was said, this Bill proposes a raid on the Exchequer. To this I reply, that the proposal is to expend Irish money for a most pressing Irish purpose, on security as good as any in the world—that of Irish land. To call this a raid on the Exchequer would be misuse of language. But it is said that Irish landlords and tenants would not repay what they borrowed. To this I answer, that as to Irish landlords, they have since the necessary remissions of the Famine time repaid the advances under the Act of 1842 with a great and honourable exactness, such repayments, now amounting to nearly £1,250,000; while of the repayments for drainage under the recent Acts, there is not a single instance of any proprietor being in default. As for Irish tenants, I answer by reference to the accounts of the Church Act, not a pound of which is in arrear. But it may be urged that in consequence of the increased cost of labour such reclamations would not pay. To this I answer, if labour has increased in cost, land has more than proportionally increased in value. Land which 30 years ago sold for 15 years' purchase now brings 25. Moreover, the process of arterial drainage, then little understood, is now completely mastered by scientific engineers, who work with the aid of machinery formerly unknown. These, you may say, are theories; but it is a matter of fact, authenticated by the Board of Works' Reports, that arterial drainage, which formerly cost an average of £6 10*s.* per acre, is now done for an average of £4 per acre. But it may be urged that the State should not interfere directly in such matters. To this I reply, that though the State should not interfere directly in the drainage of particular farms or estates, the great work of arterial drainage is the special work of the State. If it is to be done at all the State must do it. I believe I am right in quoting as an authority for the doctrine the right hon. Baronet the Member for Tamworth (Sir Robert Peel). When he was Chief Secretary for Ireland, that right hon. Gentleman, in the course of a singularly able speech on this subject, at the Irish Statistical Society, is reported to have said—

> "This is a great Imperial question. The drainage of these vast tracts in Ireland ought to be dealt with by the Imperial Legislature. Individual proprietors cannot grapple with it. Everyone admits that."

And he adds—

> "Look at what the Imperial Parliament expended on the Caledonian Canal in Scotland. Look at what the Imperial Parliament expended on the Rindean Works in Canada—over £1,000,000 for 123 miles."

I may add a more recent instance. I hold in my hand the Report of the Select Committee of the House of Lords on the Observancy and Drainage Boards in 1877. You will find in the 4th paragraph a most comprehensive scheme of drainage, which, as I understand, is to be carried out under the auspices of the State. In every country in Europe the State charges itself with great works of reclamation adapted to the special requirements of the country. Thus, in Holland, the great necessity is the reclamation of slob lands, and, accordingly, we find that the State is reclaiming the Zuyder Zee; and Mr. Amerferdt, of Haarlem Mere, writes to me that 13,000 people, with their churches, schools, and factories, now reside on land over which, in his memory, tall ships sailed. Thus, in Prussia, the great requirement of reclamation is timber plantation, and, accordingly, I find by a Report of the Budget Commissioners of the Prussian Landtag concerning the afforesting of waste lands (obtained for me by the courtesy of the Under Secretary of State for Foreign Affairs, through the British Ambassador at Berlin), that since 1872 the State had bought and planted more than 1,000,000 acres. In

Ireland the special requirement of reclamation is arterial drainage, and it is this which we now ask the State to do. The doing of it will not only serve agriculture, but it will also improve climate. This was pointed out long ago by Arthur Young; but it has been scientifically demonstrated by recent authorities. Thus, in Mr. Price's work on *The Climate of Ireland*, after comparing the average rainfall of these Islands, he shows that the rainfall of Ireland is not excessive, and he adds—

> "The climate of Ireland is just as much inferior to that of England as its agriculture is inferior, and no more; by effective drainage, tillage, and planting of waste lands, as fine a climate could be obtained in Ireland as in any other part of the globe. The dampness of the air depends neither on the quantity of air nor the proximity of the ocean, but upon the extent of flooded and undrained land."

I need scarcely add that this loss of temperature and this vast expanse of swamp is prejudicial not only to the growth of corn, but to public health. This was unhappily exemplified in the Famine time, when the swamps bred fever as a plague. On these various grounds, I submit this measure for the consideration of the House. It would serve all. It could injure none. Landlords would be served by it, tenants would be served by it, the towns would be served by it; public health would be promoted, taxation would be diminished, climate would be improved, a new element of healthy Conservatism would be introduced into Irish social life by the formation of a class of peasant proprietors, whose interest in the soil and security in the enjoyment of the fruits of their own labour would render them industrious, law-respecting, and order-loving citizens—the bases of social order, civil freedom, and national prosperity.

Motion made and Question proposed, "That the Bill be now read a second time."—(*Mr. John George MacCarthy.*)

Mr. VERNER regretted he was obliged to meet the Bill of the hon. Gentleman with a direct negative. Although he had barely had three minutes to consider his words, he had carefully gone through the Bill, and his opposition would be mainly directed to one point, leaving other points to be dealt with by succeeding speakers. Though the Bill in its first clauses was very similar to the Act of 1863, yet at the 11th the tone materially changed, and nobody, merely listening to the speech, mild and kindly as the hon. Gentleman's speeches always were, would suppose that it was connected with so strong a measure. The Preamble of the Act of 1863 contained these words—

> "Whereas it is expedient that the proprietors of land in Ireland should be enabled to construct works for drainage and other improvement of their lands,"

and its provisions carried out this principle; but at Clause 11 of the hon. Gentleman's Bill, there was a departure from that, and it was there proposed that occupiers should be given an equal position and equal powers with the proprietors. It really meant that the rights of the proprietors might be interfered with by the tenants, who, at the same time, would be given inducements in Clause 14 to vote in favour of the constitution of a district. In the Act of 1863 it required the votes of proprietors of two-thirds the value to obtain drainage powers; in Clause 11 of the Bill the votes of half the proprietors and occupiers conjointly were declared to be sufficient. In the Act, petitioners had to give security for costs, &c.; in this Bill there was a less satisfactory arrangement, considering who were to be the petitioners. The rights of proprietors were directly assailed by the propositions of the Bill, the extreme character of which might be illustrated by those of a Petition which was presented the other day from the Agricultural Labourers' Union in Norfolk, praying that all cultivable lands should be placed under the management of Commissioners, the extent of woods and parks limited, that the game laws should be abolished, the unpaid magistracy swept away, the future growing of grass for pasture prohibited, and other equally extraordinary measures carried into effect.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Verner.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. O'REILLY observed that the hon. Member who had just sat down had confined his criticisms to the portion of the Bill which referred to the reclamation of waste lands. Another portion of the Bill however, dealt with the subject of arterial drainage, which was a question of the greatest importance, and facilities for which ought to be afforded by the Government. The sketch which his hon. Friend (Mr. MacCarthy) had given of arterial drainage was entirely accurate, and, on two occasions, he (Mr. O'Reilly) himself had paid the cost of the drainage imposed by the Arterial Drainage Bill, and never was money better spent. The remissions made by Parliament for these were, as was shown by the Report of the Committee, for works executed at unnecessary cost in the Famine time, and excused by the Famine necessities. His hon. Friend desired to go back in this Bill to the proposals of the Act of Sir Robert Peel—that the work should be carried out by the Board of Works. He went further than had ever been proposed before. In the second Act of 1842 a majority of two-thirds of the proprietors was required. That was afterwards reduced to more than half. He would suggest that it might be urged that a majority should be required. It was also doubtful whether the Board of Works as at present constituted in Ireland was very well calculated for over-riding all the local owners and authorities. He would not oppose the Bill on that ground; but perhaps it might be desirable that the two agencies should be opened, and that in some cases the Local Board should have the drainage entrusted to their hands; and in other districts, if a Local Board could not be formed, and if the proprietors preferred to entrust the drainage to the Board of Works, that it should be entrusted to them. So far he gave his cordial assent to the spirit of the proposals which had been made. They could not overrate the importance of arterial drainage. He warmly approved of the object which his hon. Friend sought to attain in the reclamation of the comparatively waste lands of Ireland; but he doubted whether the reclamation of land and the establishment of a peasant tenantry on it could be successfully undertaken by the State. His hon. Friend said that in other countries the reclamation of waste land had been successfully carried out by the State; but in most of those cases it would be found that the operations were confined to slob lands or lands flooded by the sea. He did not know of an instance in which the State had improved mountain or bog with profit. In Belgium, where a large amount of waste land had been brought under cultivation, the work had been almost entirely effected by private enterprize. His hon. Friend went too far when he proposed that houses should be built. He said that the preliminary cost should be taken out of the moneys of the Commissioners, whether the scheme was carried out or not, and the Commissioners were to recover the cost from the parties; but if the money could not be recovered from the parties, who were they to recover it from? It was his opinion that the State could not go further than draining the land and preparing it for reclamation, and then handing it over for further reclamation, for the erection of buildings and similar works, to those who would be prepared to undertake it themselves. He was ready to support the second reading of the Bill, expressing his cordial assent to that part of it which referred to draining. As for the subject of reclamation, he should say that, considering the doubtful nature of the remuneration and expenditure by the State, that was a matter which should be carefully considered. Of course, he could not support any proposal unless there was adequate security given for the return of the expenditure.

MR. MACARTNEY said, he wished to free himself from the paternity of the Bill, with which he had been charged by the Press, and even by some friends, on account of the similarity of his name to that of the hon. Member for Mallow. He (Mr. Macartney) was of the same opinion as the hon. and gallant Member, that this Bill contained the principles of more than one Bill. He considered it contained three Bills—first, a Bill for a large system of national drainage; second, a Bill for promoting the reclamation of waste lands and the establishment of a peasant proprietary; and the third, which was at the end, was a very important one—to provide for the giving of loans upon reasonable terms to small tenants. Now, he thought that all the objects aimed at by the Bill were laudable in themselves separately; but he did not see why they should be jumbled up in one measure, so as to make it difficult and almost impossible to find out what was the main object of the Bill. With regard to the main drainage of Ireland, no one had a stronger wish than himself to see it carried out thoroughly and efficiently. It was a matter of national importance, and should be, he thought, promoted by the Government, and not by a private Member. The hon. Member for Mallow (Mr. MacCarthy) mentioned as an example of main drainage the reclamation carried on in Scotland; but the Caledonian Canal had not been constructed for drainage purposes or for land improvement, but to facilitate the passage from the Atlantic Ocean to the North Sea of the commerce of this country. Another instance was the Erie Canal in Canada, which was for the purpose of communicating between two large rivers. The two instances fell entirely to the ground as precedents for the present Bill. If arterial drainage was not carried on in the most scientific way, it might be as mischievous as it might have been beneficial if it had been properly carried out. He knew a district in Ireland where the streams had been enlarged by arterial drainage, and a district had been subjected to floods which was formerly free from them. They ought to be cautious as to whom they entrusted the power of arterial drainage to. The proposal that one-half of the proprietors and residents in a district should have the power to enforce the drainage in that district seemed to him to be very objectionable. The old proportion of two-thirds, as laid down in the Act of 1863, was the smallest proportion which ought to be empowered to do what was equivalent, in fact, to giving away the land of the district. It had been said that this Bill was for public purposes, and that private proprietors had no reason to be alarmed. It appeared that almost anybody had a right and interest in the land except the owner himself. At present the public had a right to go through it for a railway; the public had a right to make a road through it; the public, if they wanted to take possession of an ancient monument, could appropriate the owner's right and fence him out of his own property. If the proprietor did not think it worth while to reclaim the land, the State was to lot out not only the reclaimed land, but the drained land in allotments from 10 to 100 acres, none of that being fit for the plough or the spade at the moment it was handed over to the purchasing tenant. The State was then to offer it for letting, and it was supposed that the tenants holding any land in the immediate neighbourhood would apply their energies to it for two or three years; but that would require capital, and if a man had capital sufficient to supply the material and labour for a farm, and could live for two or three years without profit, he would be uncommonly foolish to go into the occupation of such a farm. In Ireland at present the land had been reclaimed by the slow, incessant work of the occupier, adding to the land he already occupied in spare hours, and not devoting his whole time, but his extra time to it. If the labour was paid for, he believed it would be utterly impossible to make it remunerative. In his judgment, the provision in this Bill that land should be taken compulsorily from the owner merely because it happened to be lying waste was rather a hard one. Waste land was mountain and boggy land. Large tracts of mountain and boggy land in Ireland, though let at less than 5s. an acre, were occupied by small tenant-farmers in lots of three or four acres. On that a tenant kept geese, a goat, or pigs, and the land was assessed to him for that purpose. The one final objection he entertained to the Bill was the facilities it offered to small occupiers to borrow money. From his own experience, he was convinced of the injury that was done to a man by encouraging him to get into debt when he had no certain means of repayment. There were in Ireland certain institutions known as loan funds, and, for his own part, he should be glad to see them all swept away. A poor farmer having a small field, perhaps, wanted a cow, and, instead of saving money to buy that cow, he went to the loan fund, taking with him two substantial neighbours for security. The money was borrowed and repaid at high interest, and more farmers were brought into difficulties and distress by borrowing from those loan funds, or going security for borrowers, than in any other way. Unless the State possessed some extraordinary means of repayment, the advances must end in their loss in very many cases. Where a tenant had a long lease there was security. But what security could there be in the case of a tenant from year to year? It might be said there was his tenant-right, the security of his tenure. But there were prior claims upon this; there was the rent due to his landlord, and there were other debts he would probably owe around. Therefore, he condemned the part of the Bill which gave those borrowing facilities. The right thing to do was to give support to small occupiers by encouraging a spirit of thrift and hard work, and giving up habits of intemperance. He could not but think that the Bill would be better for being divided. If there was a Bill for arterial drainage he would support it, though he did not believe in the wonderful improvement in the climate of Ireland promised by the hon. Member for Mallow. The influence of the Atlantic Ocean and the Northern position of the Island must always remain, and the climate could never be like that of the South of France, nor could it become like that of some countries which were in want of rain. For green crops the climate was well fitted, and arterial drainage would not alter the climate except in the slighest degree. Finally, he hoped that in objecting to the Bill it would not be supposed he did so because of its affecting landlords' interests. His reason was he did not think it politic for the Government to take into its hands such a task as the reclamation of waste lands, which would never pay, and to establish peasant proprietors upon the land, who in not a few cases would be off, leaving their tenant-right and the Government in the lurch.

THE O'CONOR DON concurred in the objection to the mixing up of the questions of arterial drainage and of the reclamation of waste lands in the same Bill; but he did not think the Bill was open to the objection that it would interfere with the rights of property, because though the Bill proposed that land should be taken for reclamation, it could only be so taken with the consent of the owners, and no owner was under compulsion to part with his land against his will. The most important and practical proposal in the Bill was that relating to the improvement of the existing drainage laws. He thought the present system required amendment; but he did not agree with his hon. Friend (Mr. MacCarthy) in his proposal to substitute the Board of Works or any central authority for the Local Boards. He believed that drainage works would be much better carried out under the management of gentlemen residing in the locality than by any Central Board. The experience which they had had of the works carried out by the Board of Works, the great expense incurred, and the unfinished state in which the works were left, afforded them a warning against having recourse to that Board for such matters in future. The hon. Member for Mallow proposed that a numerical majority should be sufficient to constitute a drainage district, but that was a proposal which could not be justified, because a numerical majority of occupiers and owners might represent a very small part of the property to be dealt with, and, therefore, a very small proportion of those who would have to bear the largest share of the expense. Under the existing law the assent of two-thirds in value of the proprietors of the district was required. There was, however, an immense difficulty in getting the positive and direct assent of so large a proportion of the proprietors if the district happened to be a large and scattered one. That difficulty arose from the circumstance that there were in Ireland, as in other countries, a great number of persons who, from one cause or another, would take no action whatever. An alteration of the law to simplify these proceedings ought to be made, but not to the extent proposed by the present Bill. He would suggest that the positive assent of the majority should be required, and that the works should be carried on with that positive assent unless one-third or one-fourth or some other proportion expressed absolute dissent. So far as the Bill sought to remove the difficulties in the way of arterial drainage, he was in accord with it; but he could not say the other provisions of the Bill were such as to command approval. He looked on as a doubtful experiment the proposal that the State should buy lands for the purpose of reclaiming them and erecting buildings on them, and then re-selling them. He did not believe the Bill would interfere with the rights of individual owners; but he saw risk of danger in giving to the State such duties to discharge. If the Bill had been confined to this he should oppose it; but as it stood he could support the Motion for its second reading.

VISCOUNT CRICHTON said, the scheme proposed by the Bill was not a practical one; it introduced principles entirely new and uncalled for, and it would completely overturn the legislation which had been progressing steadily and with very favourable results for the last 14 or 15 years. One of the objects of the measure was to increase the facilities for establishing a peasant proprietary. As to that, he would merely remark, that the subject was being investigated by a Select Committee of the House; and before dealing with this branch of the question, it would have been more convenient to have awaited the Report of that Committee, and the evidence they would collect. The Bill also introduced the novel principles of the purchase of land and its reclamation when purchased by the State. But before the State was asked to undertake these duties, it would be well to inquire what had been done of late years by private enterprize, aided by the facilities legislation had already given to owners of land. In 1844 the Land Improvement Act of Ireland was passed, and under that Act 274,000 acres had been reclaimed by proprietors alone at a cost of £6 10*s*. per acre. During the same period landlords and tenants jointly, at their own cost, and without State aid, had reclaimed 300,000 acres, and another 300,000 had been reclaimed by the tenants alone. In addition to this, 400,000 acres had been let to tenants for grazing, making an addition of 1,274,000 acres to the productive lands of Ireland in 34 years. Surely that was no inconsiderable result to have achieved. In the enumeration by the hon. Member for Mallow (Mr. MacCarthy) of the waste lands of Ireland, he mentioned the mountain lands, those subject to floods, and the flat bog. With respect to the reclamation of bogs, it could only be carried on at an immense cost; and, besides, from his experience in the North, he found that where the bog was being rapidly cut out, it was a very serious question, indeed, how in some 20 or 30 years the poorer occupiers were to find fuel. That a certain amount of good might be done in improving pasture land upon the hills he admitted, if the same course were adopted as that followed on the Cheviot Hills and other places. Another class of waste lands alluded to were the low mountain ranges at an elevation of 600 to 800 feet above the sea—in round numbers, about 990,000 acres. His own experience of such land was in a district where the proposals in the Bill were carried out under most favourable circumstances; the land was intersected by good roads, the heathery slopes gave a good fall for drainage, a plentiful supply of lime was to be found in the neighbourhood, and kilns were erected for burning the lime. The district was within easy reach of market towns and railway stations. About 35 or 40 years ago operations such as were contemplated by the Bill were carried out, houses were built by the landlord, roads were made, and the whole was parcelled out among tenants. For a short time the fields were tilled and cropped; but by-and-by, from the humidity of climate and other causes, the tenants found themselves obliged to give up cropping. The lands had now reverted very nearly to their original state; they were growing fine crops of heather, and afforded as good shelter for grouse as any in that part of the country. He did not doubt but that such would be the effect of the Bill in most cases. It had been described mainly as a measure to promote arterial drainage. If so, he submitted that it was a measure of a very retrogressive character, for it entirely reversed the principle on which arterial drainage had been carried out in Ireland since 1863. The hon. Member for Mallow gave statistics; but the inference he drew from them was hardly fair, and he did not give credit to the Act of 1863 for all the good it had done. From the Report of the Commissioners of Public Works, 1876-7, he found that 32,832 acres had, by arterial drainage, been increased in yearly value £10,270. Other large works were going on, and were not yet completed; but it might be fairly said that 100,000 acres had been reclaimed, or were in the process of reclamation, under the operation of the Act. The hon. Member for Roscommon (the O'Conor Don) had made a suggestion which was worthy of consideration. He agreed with the hon. Gentleman as to the enormous difficulty of getting two-thirds of the proprietors of a district to give their assent; there was so many absentees, so many minors, and so much land was held by public companies. This might be modified, but it was not advisable to unsettle the Act altogether, as proposed by the Bill. Up to a certain extent the Bill proceeded on the lines of the Act of 1863;

but when it came to the formation of districts, it was not clear how the assents were to be obtained. Another question was the definition of what could be considered waste land. In some parts with which he was acquainted fields were much affected by floods, and all plans of improvement to prevent this had fallen through because of the cost. Still, the land could not be considered waste land. He hoped the House would not give its assent to the Bill, which he thought entirely subversive of a system which, in his opinion, had worked extremely well.

SIR ROBERT PEEL said, as frequent reference had been made to the Bill of 1863, passed when he had the honour to be Chief Secretary for Ireland, he wished to make a few remarks on the measure before the House. He had listened with great pleasure to the speech of the hon. Member for Mallow (Mr. MacCarthy), who had most clearly enunciated to the House his views on this subject; and he must say he thought the opinions expressed by the hon. Member for Roscommon (the O'Conor Don), and the noble Lord who had last spoken, went strongly in favour of the Bill. For what did their speeches say? The hon. Member for Roscommon pointed out most clearly the difficulties which arose under the present system of carrying out the drainage of any district, and the noble Lord agreed with all that had been said as to those difficulties. But while the hon. Member for Roscommon was going to support the Bill, the noble Lord was going to oppose it. He (Sir Robert Peel) was inclined to take the view of the hon. Member for Roscommon. Though there might be difficulties in the Bill which in Committee would require amendment, he felt obliged to give his support to the measure. The noble Lord had stated that since 1844 nearly 1,300,000 acres had been reclaimed; but the hon. Member for Mallow had pointed out that nearly one-fifth of Ireland was in a state described by Master FitzGibbon as a "dismal swamp." The hon. Member wanted to revert to the principles of the Bill of 1842, under which vast tracts had been reclaimed until the Famine occurred, when the rates rose to 16*s.* in the pound, proprietors were ruined, and the works were stopped. They could not do better than follow the provisions of that Act. He admitted that in the proposal of the hon. Member there were one or two matters which required serious consideration; but he could not agree with the action of the hon. Member for Armagh (Mr. Verner), who had said that he had only given the Bill two or three minutes' consideration. It would have been better if someone else had moved the rejection of the Bill. He (Sir Robert Peel) was sorry that in doing so the hon. Gentleman should revert to a Petition from Norfolk, which would have been better referred to by some English Member. While admitting the subject had been better handled by gentlemen in Dublin, and that the Bill had been carefully drawn up, he asserted that it assailed the right of proprietors. He (Sir Robert Peel), however, agreed with the hon. Member for Roscommon, who did not believe in the right of sale of proprietors. The hon. Member for Tyrone (Mr. Macartney) took the opportunity of referring to what he (Sir Robert Peel) had said 20 years ago in Dublin, before the Statistical Society, with regard to the Caledonian Canal and a canal in Canada. What he said was that, as these had been considered works of Imperial necessity, and had been made at vast expense by money given by the State, the reclamation of waste lands might be treated as a work of an Imperial character. He was surprised to hear from the noble Lord the Member for Enniskillen (Viscount Crichton) that, in his opinion, the reclamation of bogs in the North of Ireland would be a serious disaster. He never before heard an Irish Member say—"Don't reclaim our bogs; if you do, it will be a calamity of the most serious character." Arterial drainage must be done by the State, and in the absence of any great domestic legislation this Session, they might grapple with the question, and deal with it in a practical manner. There was one clause referred to by the hon. Member for Tyrone which would require considerable amendment. That was Clause 18, which did not only deal with the reclamation of waste lands, but the wording of it was such that it dealt with the reclamation of waste and other lands. That was a point that would require some amendment. He thought the time had come when they might reasonably hope that his right hon. Friend the Chief Secretary for Ireland, whom he and everybody was glad to see in his place, would say that the Bill—let it be divided into two parts if they pleased—ought to receive a second reading; and then, if it were referred to a Committee, the objects which the hon. Member for Mallow had in view might be promoted.

Mr. O'SULLIVAN supported the Bill, which, he said, would tend to the welfare and prosperity of the country. It was a question which, if properly handled, would bring employment to thousands, and consequent happiness. For the last 30 years the Irish people had been flying to other lands, and tilling the ground in foreign countries. But if the people got any encouragement from the Government, they need not go away from their homes. This showed the necessity of a Home Parliament, for the first tax they would impose on the country would be for the reclamation of waste lands. The hon. Member for Tyrone had dwelt on the hardship of obliging a landlord to give up his waste lands; but if a man persisted in keeping land in such a condition that it only yielded 5*s.* a-year, whereas it could yield 30*s.*, he was doing an injury to the State as well as to himself.

Mr. D. DAVIES said, that the promoters of the Bill wished to have Imperial funds at their back, which showed they did not believe the scheme would succeed on its own merits. He estimated the cost of reclaiming the land now at 100 per cent more than it would have cost 25 years ago. If they took a farm of 10 acres, and built a house upon it, the rent they would obtain would only pay for the house, and if this was the case, it would not be worth while reclaiming the land. He had seen large tracts of peat land drained, and it was worth less money after the operation than before. Nothing would grow on drained peat land. They knew that Government, which was the worst of joint-stock companies, could not do such work as that proposed so cheaply as private individuals. He must oppose the Bill in its present state, though there was some small part of it in which Government assistance might be given with advantage.

Mr. FAY thought the Bill deserved careful consideration. He concurred in the opinion that certain waste land was incapable of ever repaying the expense of reclamation. He approved the submission of proposals such as were contemplated by the Bill to the Board of Works, instead of being brought before a Committee of that House, which must be attended with great expense as well as risk. He would support the Bill as one going in the right direction.

Mr. G. CLIVE hoped the Bill would be read a second time, and then very much altered in Committee—the subject of arterial drainage, perhaps, being exclusively attended to.

Mr. J. LOWTHER, who, on rising to address the House, was loudly cheered, said, he thought the hon. Member for Mallow (Mr. MacCarthy) might be congratulated on having brought before the House a subject well worthy of consideration, and he deserved their thanks for having introduced it to their notice. The measure, which had been several times before the House, dealt with the reclamation of waste lands, and also with arterial drainage—two very different subjects. These distinct questions had been clearly defined by the hon. Gentleman. He did not share the views which had been expressed by some hon. Gentlemen, who really looked on the arterial drainage as the principal part of the Bill, and thought the question of reclamation of waste land was an additional one, which might be very well disposed of by Committee. As an illustration of what he said, he might refer to the fact that the hon. Gentleman introduced a Bill under the same title in 1875, which dealt solely with the reclamation of so-called waste lands, and had no reference to the question of arterial drainage. Now, however, he had introduced clauses dealing with that subject, and had, so to say, gilded his pill with provisions in which, taken by themselves, there would be a general disposition to concur. In fact, the hon. Gentleman had baited his trap so skilfully that he had actually succeeded in catching so old a hand as his right hon. Friend the Member for Tamworth (Sir Robert Peel). With respect to the reclamation of waste lands, there appeared to be difference of opinion; and the hon. Gentleman himself, with great discretion, dealt very lightly with that part of the Bill—in fact, as had been said with great truth, he had left that part of the Bill to take care of itself.

He thought the House should consider whether these two very distinct subjects could be appropriately dealt with in one Bill. As regarded the improvement of waste lands, he thought the hon. Member had made out no case. Under the existing law, it was within the power of private owners, on their own initiative, to obtain State aid for the purpose of reclaiming waste lands. They were enabled so to do by charging their estate with the capital sum expended; and there was no necessity why persons other than owners specially interested should be required to take part in the work, unless, in the case of arterial drainage, where an entire area was brought within the scope of the improvements—when it would be impossible for any owner to take independent action. He thought the hon. Member did wisely in not dwelling at any length on that portion of his Bill. If carried into effect in the manner proposed, it would lead to a system of State land-jobbing, which he thought most undesirable, and which Parliament would hesitate to sanction. He should not go into the details of that part of the scheme, which appeared exceedingly objectionable; but he now approached a very different branch of the subject—namely, that which dealt with arterial drainage. His right hon. Friend the Member for Tamworth (Sir Robert Peel), who supported the Bill, made some observations on this part of the subject in which, to a great extent, he concurred. The hon. Member for Roscommon (the O'Conor Don), and the hon. and gallant Member for Longford (Mr. O'Reilly), also treated the subject from a point of view which, in great measure, he appreciated. They alluded to the fact that sometimes technical difficulties were placed in the way of persons desirous of obtaining the advantage of existing Acts. They mentioned the case of minors and owners deceased, and urged that those technical difficulties required the consideration of Government. One argument he could not follow. It was said that whereas under the Act of 1844 the Board of Works had been responsible for the execution of the works, by the Act of 1863 the responsibility of the Board of Works had been assumed by a board of landowners, and that the number of drainage districts formed, and the number of acres drained, had been much greater under the former than under the latter arrangement. He could not follow that argument. A hungry man, sitting down to dinner, after eating heartily of what was placed before him, would, no doubt, at the end of half-an-hour, if offered a further addition to his repast, find some difficulty in eating as much as he did at first—and so it was perfectly natural to suppose that, when facilities were first afforded for drainage schemes, they would comprise a larger extent of country during the first few years of the operation of the Act than subsequently. His noble Friend the Member for Enniskillen (Viscount Crichton) had pointed out that the Acts were by no means a dead letter, and great advantages were constantly being derived from them. With regard to the objections to the system, he would only say this, he should be quite ready on the part of the Government to give them every consideration. The House would hardly expect him on so early an occasion since his connection with Ireland to declare at once his assent to a scheme like this under a somewhat misleading title—the Waste Lands Bill—which dealt with a very different subject, and by no means in the best manner. He therefore hoped the House and the hon. Gentleman would be content with the discussion which had been held, and accept his assurance that any anomalies and difficulties that could be removed in the present Acts would have the careful attention of the Government.

MR. MORGAN LLOYD said, that as a rule, the Government should not undertake what might be carried out by means of private enterprize. But there were exceptions to that rule. As regarded Crown lands, the Government was in the position of a private owner, and was bound to make the most of them. There were extensive tracts of such lands admirably suited for the growth of trees, and it was the duty of the Government to plant them for the benefit of this and future generations. The seashore belonged to the Crown, and there were extensive estuaries that might be drained to the general advantage of the country. Why not employ convicts to carry on such works? Under proper management, the convict establishments might be made self-supporting. The reclaimed lands would prove a profitable investment, and would extend the resources of the country. Arterial drainage might also be carried out by the same means, and both would pay.

Mr. RAMSAY said, that, before the House divided, he wished it to notice that the principle of this Bill was capable of more extensive application than seemed to have been supposed. Waste land was defined in the Bill as mountain and marshy land, not thoroughly drained, and not worth 5*s.* an acre. He ventured to say there were tens of thousands of acres in England not worth 5*s.* an acre, and three-fourths of all Scotland did not produce to the proprietors 5*s.* an acre. He was reminded that the Bill extended only to Ireland. He was quite aware of that; but, if Members of the House were going to apply such principles to Ireland, it would be necessary to consider the expediency of applying the same principles to Great Britain. He did not grudge anything being done for Ireland, and would support every reasonable measure which might tend to provide an increase of profitable employment for the people, whether such measures were brought in by private Members or the occupants of the Treasury bench; but he could not accept a Bill for the reclamation of waste lands without considering the principle on which they proposed to proceed. No doubt the reclamation of waste land, whether in Great Britain or Ireland, would be a great advantage to the Empire; but he thought reclamation, to be profitable, must be carried out by and at the expense of private individuals, and not of the State. If the hon. Gentleman who had presented this Bill would consent to eliminate all the clauses regarding compulsory drainage and the purchase of land for the purpose of reclamation, and would confine the object of the Bill to arterial drainage, he would support it—as he thought that a duty that might well be undertaken by the State. But anything beyond that he did not think the House should agree to. Considering the abundance of capital, he did not see that the State required to step in for the purpose of undertaking reclamation works, if it could be shown that the reclamation could be profitably carried out. He, therefore, could not support the Bill in its present shape, as he considered its principal object was the reclamation of waste lands, and not arterial drainage.

Mr. O'SHAUGHNESSY said, it was necessary that there should be some reform in the present system of arterial drainage in Ireland, and it was manifest that legislation on the subject was requisite. He believed that there was a period when the reclamation of waste lands would be more advantageously carried out by individuals than by the State. If they could get the co-operation of landlords and tenants in Ireland, the question would soon be settled. But, unfortunately, the Irish landlords and tenants had not that mutual sympathy which was to be wished, and did not see that their interests were united, in the same way as was the case of Scotland. What was requisite was, some arrangement whereby the State should secure to the tenants the occupation of waste land for a considerable time at a very moderate rent while it was in course of reclamation. The landlord would still remain the owner of the land, and he would eventually come into good land at a fair rent. In the meantime, the tenant would be able to remunerate himself for his labour and outlay. That was the general outline of the system he would like to see established.

Mr. JOHN GEORGE MacCARTHY, in reply, said, he shared the pleasure with which the appearance of the hon. Member for York (Mr. J. Lowther) as Chief Secretary was greeted by the House, and hoped that he would have the opportunity of calmly considering this measure. Some of the objections to the Bill related to simple matters of detail, which might be easily arranged, and which were no grounds for opposing it on the second reading. It had been said that the Bill was an attack on the rights of property; but the truth was, that it was laid down on the lines of a measure of the great Conservative statesman, Sir Robert Peel. The noble Lord the Member for Enniskillen (Viscount Crichton) said, that a very large acreage had been reclaimed of recent years; but the greater part of the land had been reclaimed under the Act of Sir Robert Peel—and this, therefore, instead of being an argument against the Bill, was an argument in its favour. It had been said that it sought to subvert the present system, but it did nothing of the kind. It merely proposed to supplement that system. It was alleged that reclamations would now cost 100 per cent more than a few years ago; but, so far was it from true that reclamations were more expensive than those carried out 30 years ago, the figures of the Board of Works showed that recent reclamations cost one-third less than those of former times. The Chief Secretary's allegory about the diminished appetite of a man who had eaten half his dinner did not apply, because of 452 districts that had been proposed and surveyed for reclamation, 300 were still unreclaimed. He had not made this Motion in any Party spirit, but with a sincere desire to benefit his country; and when the Chief Secretary for Ireland objected to the measure that it was both a drainage Bill and a Bill for the reclamation of waste lands, he might say that, while reclamation was the end, improvement of arterial drainage was in many respects the necessary means. He might suggest, if it met the views of the House, that, while that part of the Bill which related to reclamation should be admitted, they should pass those clauses which related only to arterial drainage, and to which little or no objection had been raised by the speakers. Even if they did nothing but promote arterial drainage, they would do a work of the greatest benefit to Ireland.

Question put.

The House *divided*:—Ayes 118; Noes 147: Majority 29.—(Div. List, No. 22.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

QUEEN'S COLLEGES AND UNIVERSITY (IRELAND) BILL—[BILL 26.]

(*Mr. O'Donnell, Mr. O'Shaughnessy, Mr. Gray, Mr. Biggar, Mr. O'Connor Power.*)

SECOND READING.

Order for Second Reading read.

MR. O'DONNELL, in moving that the Bill be now read a second time, said, he by no means proposed to deal in any large or comprehensive manner with the Irish Education Question, or indeed, to do more than deal with a very small though important portion of it. The general question of the state of higher education in Ireland had been frequently before the House, and would come before it again, with, he hoped, better results in the future than in the past. On that point, however, he had little or nothing to say in connection with the present Bill. His object was merely, taking the Queen's Colleges and Queen's University in Ireland as they stand, to try and get out of them as much utility as they were capable of furnishing; and it would remain for the House and the Government to consider whether the amount of utility which they were capable of furnishing was very much after all. With that question he did not accordingly deal. He found that the House and Her Majesty's Government had established certain Colleges in Ireland called Queen's Colleges, since incorporated into a University called the Queen's University, for the ostensible purpose of the advancement of learning in Ireland; and he also found, as he expected to be able to prove to the House that these Colleges had not contributed to the advancement of learning—that, on the contrary, they had done much to hinder that advancement; and, taking them as they were, and looking only to the classes which had chances of profiting by them, he proposed that such guarantees should be added as might secure that even within a very limited area learning might be advanced and not retarded by these institutions. In conformity with the programme expressed by the Government when passing the Act, and generally sanctioned by the majority of hon. Members of the House—though, as usual in such cases, not sanctioned by the majority of the Irish people—the Queen's Colleges were erected, and afterwards the Queen's University was established by Royal Charter for the purpose of granting degrees to the students educated in these Colleges. To come at once, then, to the object of the Bill, he first sought to have the Queen's College, Belfast, recognized as that which it had actually been from the commencement—namely, a College which, to all intents and purposes, was for the exclusive use of the members of the Ulster Presbyterian Church and other Evangelical Protestants in that part of the country, whose general tenets did not differ essentially from those of Presbyterianism. Secondly, with regard to all the Queen's Colleges, he proposed that some efficient system of public inspection should be established, and that the results of the inspection should be regularly laid before Parliament; and, furthermore, that the public moneys which supported these institutions should be wholly raised in such a form as to permit of the rigorous application of public control. He meant that the whole of the sum devoted to the support of the Queen's Colleges and University should be annually provided by Parliament in the Estimates, and that no portion of it should be practically removed from the control of Parliament by being placed to the account of the Consolidated Fund. The provisions of the Bill were few; but he had reason to believe that they would be effective, and that a thorough system of inspection would fully meet the exigencies of the case. Without some such system, the Colleges and University were likely to continue to live on the public funds, and yet to counteract instead of promoting the objects for which these funds were originally granted. If they were at length to commence to promote the advancement of learning in Ireland a stimulus should be applied, and a corrective brought into exercise, and that stimulus and corrective should, in the first place, be public inspection, and, in the second place, should be the threat that if the inspection did not show that these institutions were what they pretended to be, they should cease to be a burthen on the public purse. The Bill, then, was divided into two portions—one referring to a particular aspect of affairs in the Queen's College, Belfast, and the other seeking generally to provide for the improvement of education in the institutions at large. The provision that had regard to the Belfast College was rather incidental than essential to the general scheme. From the very first hour of its establishment that College had been conducted, not officially and avowedly with a view to provide denominational education for the members of the Presbyterian Church in Ireland, but in reality and in fact it had been so conducted. Some hon. Members might be incredulous to hear that statement; but the most stubborn incredulity should yield to the evidence of facts. He granted that the general purpose of the Queen's Colleges was to establish what was called non-sectarian education, and to place non-sectarian and secular knowledge within the reach of all persons and sects in Ireland without discrimination. He would not enter on the question whether there could be such a thing as non-sectarian secular knowledge, but it was a fact that these Colleges were founded to provide it; and the constant claim of the various Governments of the day, and of all who were opposed to granting denominational freedom in education to the Catholics of Ireland was, that in the Queen's Colleges and University the Irish people really had institutions capable of granting such knowledge with the most perfect impartiality, and with the most entire absence of any leaning to the right or to the left, to one religious sect or the other. That theory had been carried out in Galway and Cork Colleges as far as such was practicable, and the only drawback to the working of the mixed education system in these Colleges was that it had not worked at all; that, however perfect might be the practice of the governing body and the professors, no students, or practically no students, had attended; and that, in fact, the attempts to carry out honestly, if he might use the word, the scheme of non-sectarian secular instruction had totally failed in Cork and Galway. In Belfast, on the other hand, they were confronted by the fact that there had been a fair attendance of students. The instruction given in that College seemed to a large extent to meet the wants of the Presbyterian portion of the population. In fact, Belfast College was the one great proof adduced of the success of the mixed education system, and used to induce the House and the country to believe that sooner or later mixed education would take root in Ireland, and that the other Colleges would meet with the same numerical success. Well, in Belfast there were generally more students than in the other two put together, and its success was still more remarkable on comparing the arts faculty there with that in the two other Colleges. As every educated man was aware, the arts faculty was the University faculty; and the general education which made up the culture of the cultivated man, and which it was the primary object—he might say the exclusive object—of the House to promote and advance in establishing the Queen's Colleges, could only be obtained in the faculty of arts, and by the state of that faculty every University must be judged, tried, and either approved or condemned. Well, while there were often from 120 to 150 art students in Belfast, there were seldom or never more either in Galway or Cork than could be accounted for by the number of scholarships and exhibitions—the number of pecuniary inducements—attached to the various stages in arts education in the Southern and Western Colleges. Beyond this class, which were equally numerous in Belfast, there were twice as many in Belfast who continued the arts course without the direct inducement of scholarships; and it was evident that the presence of these extra students spoke far more for the success of Belfast for the reason that mere considerations of pecuniary profit could not explain this attendance. He maintained that this success of the arts faculty in Belfast was not due to its being a faculty of mixed education, but a faculty of Presbyterian education and practically denominational secular knowledge. In other words, in order to purchase the favour of the powerful Presbyterian Body, the Queen's College, Belfast, had been so officered and professored as to allow of its being, to all intents and purposes, the secular side of the Presbyterian Theological Seminary. There was practically nothing of a mixed educational character about the faculty of arts in Belfast; for a Return issued for last year showed there was altogether only one Catholic student in attendance. The House would admit that there was nothing fortuitous or accidental in the monopoly of the Belfast faculty of arts enjoyed by the non-Catholic students. Before the Commission of 1857, Professor M'Douall was asked if the bulk of his class were not gentlemen going into Presbyterian Orders, and his reply was—

> "Yes; not exactly that they have made up their minds, but they have it in contemplation; very generally they have that object in view."

Going further back, it would be seen that the monopoly had been arranged from the very beginning. When, in 1849, the new professors of the faculty of arts were appointed and their qualifications and character canvassed, a resolution was unanimously passed by the General Assembly of the Presbyterian Church in the following terms:—

> "Whereas one of our ministers in whose capacity and paternal care we have entire confidence has been appointed Dean of Residences, and whereas the qualification and character of the persons appointed in the Queen's College, Belfast, for those classes which students of this Church have been hitherto required to pass are such as to influence this Assembly in accepting certificates and degrees from that College, we now permit our students to attend the classes in the Queen's College."

Previous to the establishment of the Queen's Colleges, the Presbyterian Assembly had in contemplation the foundation of a religious College for the special purpose of meeting the requirements of young men going in for Presbyterian Orders; but when the intention of the Government to establish Queen's Colleges became known, a deputation was at once sent to see what could be done. Sir Robert Peel assured the Presbyterian delegates that the satisfaction of their desires would be one of the main objects aimed at by the Government, and Dr. Cooke had said that the same assurance was repeated again and again. Those assurances were carried out in the foundation of the College in Belfast, and in the appointment of the original professors, whose characters were such as to merit the approval of the General Assembly, which accepted them as their own teachers in an openly and avowedly denominational institution for the instruction of Presbyterian students. After that came the fact that the arts faculty was almost entirely maintained by the theological students of the Presbyterian Church; and, looking at all these things, and seeing that if the Presbyterian theological students were withdrawn, the faculty of arts in the Belfast College would be an utter and hopeless failure, he was entitled to maintain that the College was a success—not because of its religious impartiality, or its advantages for mixed education, but because it was a Presbyterian College. What he asked the House to do was to legalize what was done now in a surreptitious manner, but done undoubtedly unavoidably—what had been established without their official knowledge, and, so to speak, behind their official backs. While he proposed that, he did not by any means look on it as an essential portion of his Bill, though he sought for the Presbyterians of Ireland a recognition which the Government would not grant to another portion of the people of the country. He recognized the numerical success of the system in Belfast as a fact; but he also said that the bad education in all the three Colleges was a fact, that the necessity of raising the standard of education was a fact; and the object of the rest of his Bill was to provide, by the most convenient means, that, instead of a system at once a numerical and an educational failure, there should be a system which, whether failing numerically or unacceptable to the Catholics of Ireland, should, at any rate, have a right to be considered an institution of University education. Before going on to the second portion of his Bill, he would make this simple remark—that no hon. Member would say that the presence of one Catholic in a faculty of arts of 150 members constituted a fair representation of the 1,000,000 of Catholics who formed the half of the population of Ulster. Coming, then, to the general provisions of the Bill, he proposed that there should be a general inspection of the Colleges, the result of which should be reported to Parliament, and that the entire sum for the support of the institution should be provided out of the Estimates. Whatever the Colleges might be from a religious point of view, it was right they should have a real educational operation, and that, so far as they existed at all, they should exist, in the words of the Act—"for the advancement," and not for the degradation of learning in Ireland. He regretted to say that the tendency of these institutions had been to the detriment of knowledge and learning. Whether the Queen's Colleges be approved or disapproved of by the Catholic hierarchy of Ireland, if they were to exist they should be institutions of secular learning; and no matter how objectionable they might be in the eyes of the Catholic Prelates, their condemnation by Catholic opinion was not, in the opinion of the most advanced secularists, even a sufficient counterpoise to the damning fact—and, unfortunately, it was a fact—of their being worthless as places of secular education. He wished, then, to consider the question of the Colleges purely from the point of view of secular education, and to point out that as such they had deplorably failed; and though he believed he would be fully justified in asking for their summary abolition, he contented himself with requesting that steps should be taken to raise them to that position of secular instruction which they had abandoned. Much more than £750,000—nearly £1,000,000 in fact—had already been spent upon them, and it was for the House to say whether they should continue in the future as in the past—a bad sort of grammar school, masquerading as a portion of a University institution. Dealing, then, with the faculty of arts, it must be granted that, generally speaking, the amount and character of the instruction given during the course would be determined by the character of the degree examination; and that the character of the preliminary knowledge the schoolboy should bring to College would be determined by the entrance examination, so that it would be well to see what those examinations were. Something less than a third of the arts students sought the degree with honours; and, practically, the third class was not superior to an ordinary pass degree, with which the majority contented themselves. Candidates who sought to graduate with honours might select for their examination any one of the following groups:—The Greek and Latin languages, mathematical, or experimental, or natural science, any two modern Continental languages; or might make up an honour course out of any three of the following:—English language and literature, logic, metaphysics, history, political economy. As could be perceived by a little reflection, 17 varieties or selections of honour degrees were thus at once provided; and he need not remind hon. Members how little consonant that was with the theory of an arts education being a general education, or that an honour degree, which was really sub-divided into 17 varieties, did not encourage very strongly that general and uniform standard of high culture which was present to the mind of most educated men when they spoke of a general and liberal education. It would be admitted that there was a very fair scope for the principle of permutation and combination in the selection of the subjects of an honour degree; but even such honour students were only in the minority of the total number of the arts graduates, and those who passed the course without honours were the students who set the general standard as regarded University education. These latter obtained their degree "in any group of subjects provided the sum of the numbers attached to the subjects amounted to four." The subjects, with their numerical values attached, were —English literature and history, 2; mathematical science, 2; experimental physics, 2; chemistry, 2; and so on, so that the student had his choice of any subjects which would go to make up four. There were, however, other subjects—Zoology, Botany, Greek, Latin, French, German, Italian, Logic, History, and Political Economy; all of which rated as one, so that a student had an extended choice of what subjects he should make up his mind to be examined in. He (Mr. O'Donnell) was not an advocate of a cut-and-dry-system of absolute uniformity; but there were limits to toleration, and men of the most liberal views would hardly admit that that was a course of graduation worthy of the recognition of public opinion. Seventeen varieties of honour degrees would seem various enough; but the permutations of the pass-degree subjects was something extraordinary. He would ask the hon. Members of the House to calculate how many courses of pass graduates of the Queen's University they might conceivably take in order to make up a single man of a real general and liberal education. He would only add that while those regulations had continued to stand as he had quoted them down to a year or two ago, some verbal alterations had been recently introduced, calculated to baffle an inquisitive stranger; but which, to the initiated, strictly maintained the *status quo* as he had described it. But perhaps it might be said that the standard in each of these subjects, composing those infinitely permutable groups, made up in profundity and breadth for the extraordinary variegation of the degree. As an answer to that, he would mention that the far-reaching and severe tests were in Greek, Xenophon, Cyropædeia, Books 1 and 2; Homer's Iliad, Book IX., with prose composition in Greek; in Latin, Sallust and the Satires and Epistles of Horace, with prose composition in Latin; in English History, the period from 1602 to 1702; or, at most, English History for a couple of centuries. Passing in those subjects, a student was entitled to proclaim himself a graduate of that illustrious institution which was founded to dissipate the darkness of clericalism, and to put the pretensions of the Roman hierarchy to shame. The standard of the examinations for matriculation, they all knew, set the standard for intermediate schools. Now, what was the standard of matriculation in the Queen's University, and what were Queen's Colleges doing to promote and elevate Intermediate Education in Ireland? In a volume of personal experiences published a few years ago, Professor D'Arcy Thompson stated that some of the students of his Greek class had still to learn their elements after they had passed the matriculation in Greek, and many of them came to him utterly innocent of Greek, and for weeks were engaged in mastering declensions and conjugations. Professor Nesbitt said that the requirements of the Queen's University in Ireland were lower than of any other; and Dr. Ryall said half the Harrow boys knew more than the students entered in Cork. Professor Craik, of Belfast, admitted that a man might go through the whole course of the College, and obtain a degree in medicine, without having any competent knowledge of the English language; and, in reply to further questions from the astounded Commissioners, he said—

> "Possibly I could hardly go the length of saying that if a person came entirely ignorant of the English language I would pass him."

He (Mr. O'Donnell) could go on accumulating proofs to almost any amount, but he thought he had shown the House that there was, at any rate, a certain need of public inspection—and for a good deal more than there had been for the last 30 years, during which nearly £1,000,000 of the public money had been spent. He desired to keep the religious element as far apart as possible from the question; but it should strike hon. Members that there must have been some motive for this extraordinary playing fast-and-loose with principles of University education. When they saw the handful of students and of graduates which even this lax system produced, they could have some idea of the state of the Colleges if they had ventured to maintain the original standard intended at their foundation. How desperate the state seemed to the managers might be concluded from the evidence given before the Endowed School Commission by a resident master of the Galway Erasmus Smith School. Mr. Killeen said that the grammar school had fallen off because the boys were admitted to the Queen's College before they knew their grammar at school, and he had heard the professors say that they had to teach the pupils grammar after they had been admitted scholars of the College—in fact, they got scholarships when they should have remained two or three years longer at school. That would show hon. Members one of the reasons which led to the deplorable degradation of the matriculation examination. When, in addition, they had the President of the Belfast Queen's College, in his evidence, laying stress on the very painful position the Queen's University would be in if they had no graduates to present to the public "at their annual assemblages in St. Patrick's Hall," and the great difficulty there would be in presenting any graduate except the graduation examination was reduced in the way the House had just heard, they would see the very close connection between the unpopularity of the system in Ireland and the disgraceful laxity of examination by which the Queen's University had endeavoured, so to speak, to outwit the Irish public, and to present the appearance of collegians and bachelors of arts when it was deprived by the popular abstention of the necessary materials for real collegians and real graduates. Although the increased strictness of examination proposed in the Bill might have the effect of exposing the barrenness, and weakness, and unpopularity of the mixed education system to the full extent dreaded by its managers, still the House should not hesitate for a single instant between a real system of education, however unsuccessful from a numerical point of view, and a system of nominal education, which was at once a numerical failure and an educational disgrace. Of course, at that stage he could not give all the details which might be rightly required in Committee; but he thought it would be granted from the facts he had already quoted, the necessity of some system of public inspection being established. They had seen that the Queen's Colleges had reduced their matriculation examination so as practically to abolish it, and, as a consequence, had to make graduates within three years out of the raw boys whom they admitted, and whom they bribed with scholarships to leave their grammar schools. More logically than creditably, then, the Queen's University must proceed to carry out a system of sham graduation in order to match a sham matriculation. It would undoubtedly be very painful if, at the annual meeting at St. Patrick's Hall, they were able to present to the public no degrees, and it was clear they would be able to present hardly any if those degrees were the result of a trying examination. At the same time, he should remind the House that the reduction in the original standard of education, and the general lowering of instruction in these institutions, originally took place in spite of the protests of the Queen's University graduates. The graduates in the three Colleges met the Queen's College Commission with most earnest protests against doing anything to encourage the increased laxity, and asked them, on the contrary, to set bounds to the progress of sham education. The Commissioners, also, refused to approve of the lax system practised by the College authorities, and recommended them forthwith to establish a real entrance examination, which would be a fitting prelude to a real degree examination. The protests of the graduates and the recommendation of the Commissioners were equally neglected and defied, and influences to which he need not particularly refer succeeded in allowing the Queen's University authorities to carry out their system of nominal education and nominal degrees. Such a state of things had existed for more than 20 years, and would continue, unless the House insisted on an improvement. It should not be forgotten that the faculty of arts was the only faculty of education, and this was the case in a special manner in the Queen's University of Ireland; for in other Universities the training of professional students included a certain portion of general knowledge and learning. In the Irish Queen's College, however, from the moment a medical student passed the ridiculous entrance examination, he was freed from all obligations of general instruction. The student's knowledge even of the English language was not tested in any subsequent year after he was admitted. Not a single gleam of general instruction lit up the way of the Queen's College medical student. The professional faculties had come to furnish the large majority of the candidates at those so-called examinations. At the last examination, it was stated that out of 831 students nominally on the rolls, 527 were medical students and 45 attended in the department of engineering. The entire of the arts faculty of the three Colleges contained only 247 students—students, he would remind the House, provided by the matriculation and other tests to which he had referred. In fact, they might now describe the Colleges established for the advancement of learning in Ireland as a huge dissecting-room, with medical class-rooms and the class-rooms of an ordinary grammar school attached; for the arts faculty was only a small annex of a considerable system of medical and other professional education. The Queen's University had utterly failed to play any useful part in the general education of the country. When the House remembered that the establishment of a medical faculty was hardly contemplated at first—and, in the words of Sir Robert Kane, the plan of the buildings of the Colleges had been drawn up and approved by the Government, on the supposition of there being one faculty of arts, with schools of engineering and agriculture, everyone could understand the significance of the total failure of the original plan of the Government. It could not be contended that the objects of the Queen's Colleges Bill could be satisfied by the erection of a number of medical schools in the provincial capitals of Ireland. At present they were little more than medical schools, and so far as the faculty of arts existed, were bad grammar schools, competing, by means of lavish scholarships, with the regular grammar schools, and lowering the standard of intermediate education by the shameful laxity of their entrance examinations. During the 30 years of the establishment of these institutions, the country had been subsidizing them to the annual tune of some £33,000, and during those 30 years some 950 bachelors in arts had been passed—30 nominal graduates per annum, at a total expense of nearly £1,000,000 sterling, or an annual cost to the Exchequer of £1,000 sterling per graduate. He would ask the House if such a result had not been too dearly bought?—and if the House resolved to continue the payment of the public money to these institutions, they ought at least insist that the annual handful of graduates should be graduates and not grammar schoolboys masquerading as University men, in order to prevent the Queen's University being placed in the position of having no graduates to present to the public. If the House came to the conclusion that nothing could really reform the Queen's University except reforming it off the face of the earth, he was not prepared altogether to gainsay such a resolution; but, if the Queen's University were to be maintained, there should be an entrance examination of a real character, and scholarship examinations of a real character enforced. He did not pretend to hold out any hope that a mixed education system would, under any circumstances, recommend itself to the people of Ireland. In the case of the only College which was a numerical success, mixed education had been practically given up, and the Queen's College, Belfast, in its students, professors, and class-books, was a Protestant and Presbyterian institution. But so long as a mixed education system was maintained—be it unpopular, be it rejected 10 times over by the nation for which it was nominally intended—at any rate let it not be utterly unworthy of the name of education. It cost £1,000 to turn out a student from the Queen's University. The British soldier was an expensive article; so were the converts made by the Society for the Conversion of the Jews. But these examples paled before the students of the Queen's University.

It being a quarter of an hour before Six of the clock, the debate stood adjourned till *To-morrow.*

MERCHANT SEAMEN BILL.

Select Committee on the Merchant Seamen Bill *nominated*:—Lord ESLINGTON, Mr. SHAW LEFEVRE, Mr. BENTINCK, Mr. CHARLES WILSON, Mr. TORR, Mr. PLIMSOLL, Mr. GORST, Mr. THOMAS BRASSEY, Mr. RODWELL, Mr. BURT, Mr. CORRY, Mr. ASHLEY, Mr. BATES, Mr. GOURLEY, and Sir CHARLES ADDERLEY:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 21*st February*, 1878.

MINUTES.]—Public Bills—*First Reading*—Gasworks Clauses * (31).

Second Reading—Committee negatived—Consolidated Fund (£6,000,000); Exchequer Bonds and Bills (£6,000,000) *.

Third Reading—House Occupiers Disqualification Removal * (17); Parliamentary Elections (Metropolis) * (12), and *passed.*

THE EASTERN QUESTION—THE MOVEMENTS OF THE FLEET—THE CONFERENCE.—QUESTIONS.

Lord CAMPBELL: It may be convenient that I should state my intention as to the Notice which, last Monday, was postponed from the exceptional, although not unusual, conduct of the Government. I propose to bring it on next Monday, without the terms which they objected to. If they again appeal to me as before, I shall again postpone it. But I shall not postpone it, only because the noble Earl the Secretary of State threatens to deprive the House of the privilege of hearing him upon it. On the contrary, the hope that those who think as I do, may bring their views before the House entirely unanswered, would be too great a lure to be resisted. The same lure is offered by the same threat on the part of the noble Earl the former Secretary of State, and the small group he represents on Eastern subjects. Perhaps I may be now permitted to ask Her Majesty's Government whether they have further news as to a Russian advance on Constantinople or Gallipoli?

Earl GRANVILLE: My Lords, I rise to ask the noble Earl the Secretary for Foreign Affairs one or two Questions, of which I have given him private Notice. The first is, whether he can give your Lordships any information as to the further movements of the Fleet? The next is, whether he can state to the House the result of the communications which have passed between this country and the Russian Government? Lastly, I wish to ask the noble Earl whether he is in a position to make any statement as to the meeting of the Conference?

The Earl of DERBY: My Lords, the principal Question put to me by the noble Earl is one which on Tuesday evening I promised to answer when your Lordships should meet again. Your Lordships will have seen in the Papers already laid on the Table a despatch signed by me, and dated the 13th instant, in which I expressed the earnest hope of Her Majesty's Government that the Russian Government would not make any movement of troops towards Gallipoli, or of such a nature as to threaten the communications of the English Fleet. That despatch was followed on the 15th by a Memorandum in the same sense, produced by a report which had reached us of the accumulation of Russian troops in the neighbourhood of the lines of Boulair. To these communications I received a reply on the 18th, stating that the Imperial Cabinet maintains its promise of not occupying Gallipoli or entering the lines of Boulair. The Russian Government, the reply goes on to say, "expects in return that there shall be no debarcation of English troops on the Asiatic or European shores." We answered on the 19th, saying that we had received with satisfaction the assurance given, and were ready to meet it by a corresponding engagement not to land troops on the European side, and that we were prepared to extend this engagement to the Asiatic side of the Straits, on receiving an assurance that Russia would also abstain from landing troops there. I have to-day received the Russian answer to that communication, which is to the effect that the Russian Government "does not intend to occupy the Asiatic shore of the Dardanelles if England equally abstains from doing so. If this condition be fulfilled, as well as that of not disembarking English troops on the European shore of the Straits, Russia will not occupy Gallipoli and will not enter the lines of Boulair." I think, my Lords, that the result of those communications will not be unsatisfactory to your Lordships' House. Now, with regard to the Question of the movements of the Fleet. According to the last report which I have received, the ships are in a position somewhat further from Constantinople than Prince's Islands, but nearer than Moudania Bay. Admiral Hornby, as I stated before, having full discretionary power to exercise his own judgment in the matter, has chosen this place after communication with the Ambassador; but I do not know any particular reason which has led to the selection. It has not been in consequence of any orders from home. The noble Earl (Earl Granville) went on to ask as to the meeting of the Conference. On that point I do not know that I have much to add to what I said before. The difficulty as to the place of meeting has been removed. All the Governments are agreed that the Conference should meet at Baden, and it is generally expected that it will meet towards the end of the first week in March; but I am bound to say that I have heard indirectly, in a manner which leads me to attach a certain weight to the statement, that one of the Governments concerned may possibly object to the shortness of the time and ask for a somewhat longer delay. Much has been said as to the place of meeting of the Conference, but I am not aware that any communications of an official character have passed between the Powers as to a question which has been raised—namely, whether when the Conference meets it should be attended in the usual manner by Ambassadors with full powers, or, as on some occasions, by the Foreign Ministers themselves of the various countries represented. The latter plan is preferred by one or two of the Governments; but I am bound to say that, as far as this Government is concerned, we think it open to great objection, because, in a Parliamentary system of Government, you could not remove, for the time being, the Foreign Minister from Parliament and exclude him from the deliberations of the Cabinet for a period extending, perhaps, over some weeks, without the greatest inconvenience arising from such a course. Besides, he could not undertake to settle questions of European importance on his own responsibility; he must refer home for instructions; he would be cut off from consulting with his Colleagues, and would thus be reduced to the position of acting upon instructions, in the framing of which he would have had no share. I therefore apprehend that, as far as this Government is concerned, we shall not depart from the ordinary course of sending an Ambassador; and, I believe, that course will be adopted when the Conference meets by the great majority of the Powers.

CONSOLIDATED FUND (£6,000,000) BILL.

(*The Earl of Beaconsfield.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF BEACONSFIELD: My Lords, in moving the two Bills, the second reading of which I am about to propose to your Lordships, and the object of which is to grant to Her Majesty a sum not exceeding £6,000,000, in addition to the Naval and Military Estimates for the ordinary financial year terminating on the 31st of next month, I do not think that at this time of day, and after all the great events that have so rapidly followed one another during the last few weeks, it is necessary for me to offer any arguments to your Lordships in favour of the necessity of these measures. Every nation in Europe is armed—armed to the teeth. There is scarcely a Government in Europe which has not a Fleet or Squadron at the present time assembled in the Mediterranean; and there is a firm belief among all the European States that in the settlement of affairs which I fain hope will soon occur, the general interests of those nations are concerned. The cause no doubt of this agitation and disturbance is that appalling war which now for nearly a year has ravaged the fairest portions of Eastern Europe, and the conviction that when that war terminates—or, indeed, if it is pursued—the interests and rights of all those communities are concerned; and we find on every hand precautions taken to guard those interests and to assert those rights. My Lords, I do not think it unreasonable that England should take the same course. There is a general feeling now, I am glad to say, that the termination of those terrible calamities is at hand or may be contemplated at least with a probability of its occurrence. On the other hand, it would be an act totally indiscreet were we to assume—considering the great difficulties and complicated arrangements involved in the management of those affairs — that because there is a general desire on the part of the European States to settle those matters in Conference that result will necessarily occur. What I wish to impress upon your Lordships is this—that whatever may occur—whether we may be so fortunate as to contribute to an honourable and durable peace—and I can assure your Lordships that no Government is more ardently and arduously labouring for that result than the Government of Her Majesty—or whether, on the other hand, those efforts may fail and the war may be extended and the area of hostilities even increased, there seems to be in either of these alternatives no doubt of the policy of this country—that she should be in a position to make her word respected, that she should not at this moment have recourse to feeble expression or inefficient action; but that she should, by the confidence and liberality of Parliament, do what she thinks necessary to assert a sound policy. My Lords, I do not know that at this moment it is necessary for me to say more. The other House of Parliament sent this Bill up to your Lordships' House supported by an immense majority. I shall only express my own feeling, that whether England enters into Conference or campaign, it is of the utmost importance that she should enter into it with the spirit and influence of a united people.

Moved, "That the Bill be now read 2ª."—(*The Earl of Beaconsfield.*)

Earl GRANVILLE: My Lords, in the first place, I wish to acknowledge the calm and temperate manner in which the noble Earl has introduced this subject to the notice of your Lordships. I cannot but feel glad that the tone of the noble Earl's remarks this evening is not what it was on the opening night of the Session, in the debate on the Address. I stated three days ago that, for my own part, I could not concur at the present moment in any Vote of Confidence or Want of Confidence in Her Majesty's Government. With regard to this particular Vote, I deprecated it on the first day of the meeting of Parliament; and, certainly, when it was brought forward in the other House, the reasons adduced in its favour appeared to me to be very conflicting; while there were arguments brought against it which, as I think, were constitutionally and politically just. The noble Earl himself made allusion to the rapidity with which events have occurred within the last few weeks. In the first place, there was a long debate on the Bill in the other House of Parliament, and that debate was not without incidents. Naturally, Ministerial statements were made in the course of it. Some of those statements I regretted, others I rejoiced at. I thought it a matter of regret that several Ministers, some of whom up to that time had spoken with great moderation and calmness on the Eastern Question, made statements which were not of that character; but, on the contrary, were calculated to provoke that combative spirit and warlike feeling which it is always in the power of the Government of this country, considering the spirit of its population, to arouse, but which, when once evoked, it is very difficult to calm. I think, too, my Lords, that some of the observations then made gave rise to expectations which will not be fulfilled, and that a feeling somewhat of humiliation has been created where, in the nature of things, no humiliation need exist. I quite agree with what the noble Earl has said as to the importance of the Vote given by the other House. It is true that your Lordships have the Constitutional right to reject such a Bill as this; but after a Vote given in its favour by so large a majority of the House of Commons, I am sure your Lordships will on that ground think you ought not to resist, nor to attempt to resist, even for a day, the progress of the Bill through your Lordships' House. Then there have been other circumstances, which, no doubt, were those alluded to by the noble Earl. Events have crowded upon each other with great rapidity. Since the Vote was introduced in the other House of Parliament an armistice has been signed, and an announcement has been made with regard to the conditions of peace. And here I must say that from Papers recently produced, it would appear that the last conditions of peace do not differ very much from the conditions communicated eight or nine months ago. Her Majesty's Government have also taken a most important step—and this measure of extreme gravity was tempered at the time by the assumption that it was accepted by the Turks, and would be followed by the co-operation of the European Powers. Neither of those latter circumstances has occurred. The Fleet has gone into the Straits. I am not now going to argue whether that is a good or a bad measure—certainly it was an exceptional one, and there may have been exceptional circumstances to justify it; but abstractedly it was one that would justify either the Turks or the Russians in making it a *casus belli.* ["No, no!"] I hear noble Lords opposite say "No, no;" but I entirely maintain my assertion. We may have been guided by regard to our own interests; we may think that in consequence of the steps the Russians were taking we were justified in going into the Turkish waters; but that this step might have been regarded by either of the other Powers as a *casus belli,* if they thought it right so to regard it, is, I think, a proposition beyond all argument. With regard to the result of that movement, I am considerably relieved by what I have heard this evening from the noble Earl. I am sure that your Lordships will all rejoice that, by judicious concessions on both sides, a condition of things which certainly caused great anxiety has passed away, and we are now in a different position from that which we occupied a few days ago. Such is what we learn from Her Majesty's Government. I certainly have not the slightest intention to offer any opposition to the Vote. The noble Earl says it will strengthen the position of Her Majesty's Government in entering into the negotiations which are about to take place. I sincerely hope it will do so. A great responsibility rests on Her Majesty's Government with regard to European affairs in the negotiations, which, I am glad to hear, will commence at an early period. With respect to those negotiations, one feeling which I certainly had—caused by certain statements to be found in a Blue Book—has been removed by a declaration of the Leader of Her Majesty's Government in the other House. There was an idea that Her Majesty's Government were inclined to try to minimize the advantages to be obtained by the Christians in the Turkish Provinces. I am glad that the Leader of the Government in the other House has distinctly repudiated the idea that such is the policy of the Government, and stated that such a policy would be inconsistent with the traditions of the people of this country. My Lords, I trust Her Majesty's Government will go into the Conference with a policy of their own; but in that policy it is of great importance to have a European concurrence. I think much depends on such a concurrence, and this I have always endeavoured to express in any observations I may have made on the Eastern Question. We ought not to agree to anything we do not think proper. We ought to see that our interests are safely guarded—it being always understood that they are interests which are really important; and I think that in doing this we ought, as much as possible, to secure the co-operation of the whole of Europe in order to arrive at a durable and satisfactory peace. The noble Earl, in answering the Question I put to him, stated the reasons why Her Majesty's Government did not think it advisable that he should himself proceed to Baden-Baden, or wherever else the Conference may be held. I entirely agree with him that the determination arrived at by Her Majesty's Government on this point is a judicious and prudent one. I only hope that Instructions will be given to the Ambassador of this country to avoid trying to minimize the advantages to be derived from the war by the Christian subjects of the Porte. I am not now going into a controversy on the point to which I am about to allude—though I think on Papers recently presented to your Lordships, and especially Paper No. 15—a controversy might be raised as to whether Her Majesty's Government did not lose an opportunity, by not sounding the Porte as to the conditions of peace—whether they would accept them or not—of bringing this war to an end some time ago. The point to which I wish to allude is this—In despatches, in which he referred to the integrity and independence of Turkey, Mr. Layard said that the Turks would not, ought not, and could not accept the terms proposed by Russia. He made this statement in June, and again, I think, in August. He also explained what he himself thought it right to do, while he rather sneered at the inaction of Her Majesty's Government. He said that, although Her Majesty's Government could not at this time hold out any hope of material assistance to the Turks, he thought it his duty to raise their hopes—that Her Majesty's Government at the close of the war would use their influence to obtain the most favourable terms for Turkey. Now, I can quite understand the despatch of the noble Earl, which states that if Turkey entertains the proposals that were made, and thinks fit to treat on them, we will exert ourselves to obtain the best possible conditions; but that appears to me to be quite a different thing to making a proposal by which the Turks should have their hopes raised that, at the conclusion of the war, whenever that might happen, Her Majesty's Government would use their influence to obtain the most favourable terms for them. I trust the course Mr. Layard has pursued in this respect did not receive the sanction of Her Majesty's Government. I hope that in going into this Conference Her Majesty's Government will not be a party to abating in the interests of Turkey the advantages which ought to be gained by the Christian subjects of the Porte. I hope they will not go into it fettered by any obligation to Turkey to patch up a state of things which has been condemned by all Europe, and which really led to this war.

THE EARL OF DUNRAVEN said, he was glad to hear the noble Earl (Earl Granville) say that he and those acting with him would not offer any opposition to the passing of this Bill. That was not more than might have been expected, because Party differences should always give way to the desire for the public welfare in any important crisis such as this. He must say, as a Liberal, he heartily desired that all Party differences on this question had been obliterated long ago. He had always been taught that to Party Government, as it existed among us, we owed a great deal that was dear to all Englishmen; it was the best method of Government, and it was the method by means of which Liberal principles had grown up amongst us. But, at the same time, if Government by Party was to be maintained in the face of grave European difficulties, involving complications of the most serious character, it could only be maintained by complete self-sacrifice upon the part of the Opposition. It became imperative in such case, upon individual Members of the Opposition, and especially upon those who might be gifted with great talents, to abstain from doing anything that might embarrass the Government in their foreign policy or render their duties difficult. He had been very sorry indeed to see the opposition offered to the Government in the prosecution of their foreign policy — an opposition which, no doubt, had manifested itself mainly outside the walls of Parliament, but which, in the main, came from Members of Parliament. For the reasons which must be apparent, and which he had briefly mentioned, he thought it the duty of all political Parties to abstain as much as possible from hampering the Government in power when it was engaged in the conduct of delicate and difficult foreign affairs. He had recently returned after a considerable absence abroad, and had endeavoured to make himself acquainted with the condition of affairs, and to understand what was meant by "British interests." He looked in vain for any mention of our interests in Armenia—our interests in Asia Minor seemed to have passed out of view. The other day the Chancellor of the Exchequer, in speaking of the British interests to be considered at the coming Conference, mentioned our trade in the Black Sea, the navigation of the Lower Danube, and the navigation of the Straits, and he said it was necessary that no one Power should be able to close the Straits against the others; and further, he spoke of the Suez Canal. But he said nothing whatever about Armenia. It was true he said nothing about Constantinople; but then the possession of Constantinople involved an interest so obvious and of such magnitude that it was not necessary to mention it. He feared, however, that the omission of all mention of Armenia could not be attributed to the same cause. Indeed, he rather thought our interests were not sufficiently considered in that quarter, and he found himself in the disagreeable position of attaching great importance to what, in the opinion of many more experienced men, appeared to be of little value. At the same time, he found consolation in the fact that Englishmen admittedly capable of forming an opinion on the subject had thought England had decided interests in Armenia, and he should like to know since when she ceased to be interested in that quarter. The great Duke of Wellington, after the Peace of Adrianople, emphatically showed the impolicy of allowing the Russians to establish themselves in Armenia, and pointed out how easily they could resume hostilities when they pleased in the heart of Asia with secure communications by land and sea. Lord Aberdeen, speaking on a former occasion, said the cession of an Asiatic frontier, with naval ports, would not only secure Russia uninterrupted communications in the Black Sea, but would place her in a position so commanding as to enable her to control Asia Minor. In that case Russia would, it was shown, hold the keys of the Persian and Turkish Provinces. It was authorities like these who were of opinion that Russia should not be allowed to establish herself in Armenia. If Russia were allowed to establish herself in Armenia, to retain possession of Kars and other strong places, and hold a safe harbour in the Black Sea, her position would be one fitted to render her very formidable. From Erzeroum to Alexandretta was 450 miles—no doubt 450 miles of a very difficult country, but still a country containing no strong places or fortresses capable of resisting an advancing army. In talking of distances, we ought to remember that, cooped up in a small island, we thought a great deal of distances. We did not march vast armies great distances overland. Russia did so, and, furthermore, her troops were accustomed to the extremes of heat and cold. If a Russian army was to be moved to a certain point, it would go, though it were bound to march over a road composed of the bodies of their comrades of preceding armies. We should not forget the extraordinary effect of Russian gold in overcoming geographical difficulties, nor the marvellous agility displayed by Russian silver in preparing the way for Russian steel. Russia, they knew, regarded the region of the Tigris and Euphrates with great interest; and in connection with this matter he desired to notice a prevailing opinion that the Euphrates Valley Railway had been reported against by the Committee by whom it was considered. The Committee did not recommend that a large expense should be incurred by the State in creating the line, but they reported very favourably on the route in a commercial and a military sense. No doubt it would effect a great saving in time if it were carried out. Where a short route existed between two points, it would be taken sooner or later, and surely the Euphrates Valley Line would eventually be used as a communication between the West and the East. That railway might be kept by England, or some neutral Power strong enough to do so, in a position in which it should always be open to England and the rest of the world. But, once allow Russia to get the footing which she was now aiming at, and in regard to which she was meeting singularly little opposition, there would be nothing to prevent her spreading herself southward and westward; while the railway, if made, would become a mere Russian monopoly. It would be a strange thing if some atrocities did not occur in Syria—some conflicts between the Druses and Maronites—some outrage to the Greek faith might arise in Jerusalem at a moment opportune to Russia; and in that event he should like to know what would be the feeling of British shareholders in the Suez Canal if they heard that 5,000 Russian troops were placed in that building in Jerusalem, whose appearance must be familiar to many of their Lordships—the Russian Convent, which looked very like a barrack. Russia, in the strong places towards which her ambition was bent, would soon establish efficient communications between the sea and the interior, and thus control the whole of Asia Minor, and have Persia at her mercy. England occupied herself very much about the Straits; but in listening to what was said, and reading what was written about the Straits, he was reminded of the Irishman's rope, which had only one end, the other having been cut away. Very little was heard about the Asiatic side; but Russia established there would be paramount in Asia Minor; and he should like to know what Power would have possession of the Dardanelles if Russia were paramount on the Asiatic side? Our prestige in India was not a matter to be lightly dealt with. The Orientals had always thought highly of Kars, and the fall of Kars in the Crimean War had greatly affected the Eastern mind. The Mussulmans knew nothing about the Crimean War, or the fall of Sebastopol, but they knew about the fall of Kars; and, in fact, it was well known that Lord Palmerston, speaking from his place in Parliament, said that it had been the intention of the British Government to prosecute a campaign in Georgia, and drive Russia beyond the Caucasus. To the Mussulman the masters of Kars were the masters of Asia Minor. If Kars belonged to England, or to Turkey in alliance with England, then England to the Mussulman would be the strongest Power. But if Russia took it, and held it, then Russia would be looked upon as the strongest, and to her the Mussulman would transfer his respect, and, ultimately, might transfer his allegiance also. English interests in India were here very nearly concerned. The question of the shortest future route, by the Euphrates Valley, to India, depended upon whether Russia established herself in Asia or not, as did also the questions whether we could maintain our right of way over the present shortest route, and keep the Straits open for the commerce of all nations. Of course, if India were to be abandoned, that would be another matter altogether. At least, if India were to be abandoned, it would be well that England should know whether—as we were, it appeared, tenants-at-will—we should have what was given to Irish tenants under Mr. Gladstone's Land Act—let us, at any rate, be assured of receiving compensation for unexhausted improvements. He knew that of late those were called alarmists who spoke of Russian designs in the East and in India; and if he were called an alarmist for thinking as he did, he feared he should have to accept the imputation. But then they must also allow that the Duke of Wellington was worse—that he was a crack-brained enthusiast, carried away by vain and unsubstantial fears, for he was apprehensive when Russia was a thousand miles further away from our Indian frontier than she was now, when railways did not exist, when campaigns lasted for years, and England, notoriously a bad beginner, was much more on a par with Foreign Powers. They must be perfectly well aware that, as surely as Russia must collide with England in the East, so surely must she drift into collision with Germany in the Baltic; and if, from dynastic reasons, she was unwilling to act openly in the matter, that would only make her all the more anxious to operate through Austria or England. From a purely commercial and economical point of view, Russia should not be allowed to establish herself there. If she were allowed to, the larger question would arise of having to turn her out of Armenia, and it would be too late to turn and erect barriers against her when she was rolling her legions down the Euphrates Valley. England was alone in this matter. None of the other Powers had the smallest interest in Asia; but, for all that, he did not see why England should be compelled to act alone. England, on the other hand, had comparatively slight interest in Europe. It mattered comparatively little to her interests what was done on the Lower Danube and what came of a large part of European Turkey. Austria was more interested in these considerations, and Germany, also, was interested. If England was to co-operate with Germany and Austria, or both, the price of co-operation should be that they should help us to make such terms as might appear suitable with regard to Armenia. This was an important question, and one that ought to be discussed and spoken about at the present time. They heard a good deal of British interests, but none of them appeared to know exactly what British interests were. He thought it would be to the advantage of the country if they were made aware whether England was supposed to have any interests at all in Asia Minor.

VISCOUNT BURY said, he must compliment the noble Earl on his exceedingly able and interesting speech, but would nevertheless have preferred if this matter had remained where the speeches of the noble Earl the Prime Minister and of the Leader of the Opposition had left it. He thought the announcement that England would be well represented at the coming Conference would have diffused satisfaction throughout the country. It could not be disguised that Russia in this matter had been most bitterly in earnest. She had spent her best blood and treasure for the purpose of tearing into shreds the Treaty of 1856. They knew that, after the sacrifices which Russia had made, it was not to be supposed that she would yield to merely diplomatic language. They knew from Russian despatches which had been for six months in the possession of the Government that Russia was outspoken, and tenacious of her views. They knew they could not meet with diplomatic rose-water the opinions which had been formed by Russian statesmen, and carried out so strictly by Russian arms. They knew, too, that England had interests to defend which were most important to this country. To be prepared was the only way by which they could obtain the position to which they were entitled. They were now to go into Conference, and they should not go with naked hands. They should go in with the might of England at the back of the statesmen who should there represent England. They might depend upon it that by speaking out now we should not offend Russia—it was much more probable that she would respect us for our outspokenness. The more it was known that England was prepared, and would go ready into the Conference, the more likely it was that we should have a peaceful solution of the question; but to go unarmed and unprepared would simply be to court disaster and defeat. He wished, as one that had neither the ties of past official responsibility nor of present official responsibility to bind him, but as merely one of the outside public of England, to say that that outside public had been waiting for those words of encouragement which the noble Earl the Prime Minister had uttered to-day, and to know that we were to go well prepared into that Congress would be satisfactory to the country.

Motion *agreed to;* Bill read 2ª accordingly; Committee *negatived;* and Bill to be read 3ª *To-morrow.*

Then—

EXCHEQUER BONDS AND BILLS (£6,000,000)—Read 2ª (according to Order); Committee *negatived;* and Bill to be read 3ª *To-morrow.*

GASWORKS CLAUSES BILL [H.L.]

A Bill to consolidate with amendments in one Act the provisions of the Gasworks Clauses Act, 1847, and the Gasworks Clauses Act, 1871—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 31.)

House adjourned at Six o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 21st February, 1878.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Bar Education and Discipline* [88].
Committee—Factories and Workshops [3]—R.P.

QUESTIONS.

POSTAL TELEGRAPH SERVICE—THE TELEPHONE.—QUESTION.

MR. CHILDERS asked the Postmaster General, Whether his attention has been called to the use of the Telephone by Telegraph Departments and Telegraph Companies abroad; and, whether it is his intention to introduce it in the Postal Telegraph Service?

LORD JOHN MANNERS: Sir, the use of the telephone by the German telegraphic administration has been brought under my notice; but, from the result of the trials which have been made here by officers of the Post Office, it is evident that the instrument is at present unsuitable for the purposes of public telegraphy, and I do not, therefore, propose to introduce it in that branch of the Postal Telegraph Service.

POOR LAW (SCOTLAND)—CASE OF AGNES ADAMS.—QUESTION.

MR. P. MARTIN asked the Lord Advocate, If his attention has been called to the case of Agnes Adams, a woman born in Dungannon, in the county Tyrone, who, after being many years resident in Scotland, was under a warrant granted by two Justices of the Peace for the city of Glasgow removed from Glasgow and delivered to the Master of the Thomastown Union, in the county of Kilkenny, though it appears she was not born in, nor had ever been resident in and was not in any way connected with the county of Kilkenny; if he can state whether any, and, if so, what examination was made by the said Justices before they addressed a warrant to compel the Thomastown Union to receive Agnes Adams; has any investigation been made into the conduct of the said Justices in the matter, and what has been the result of the investigation; and, is there any remedy for the injury suffered by the Thomastown Union, and in what way can that Union be recouped the expenses occasioned by Agnes Adams having been thus illegally left a charge on that Union?

SIR HENRY SELWIN-IBBETSON: Sir, I beg to reply to the Question of the hon. Gentleman, as the Lord Advocate is unavoidably absent. The learned Lord's attention was called to the allegation, and he made inquiries through the Board of Supervision. The pauper Agnes Adams was examined before two justices, and she stated on oath that she was born in Dungannon, county Kilkenny, and her deposition to that effect was, in consequence of her statement that she could not write, authenticated by the two justices in the usual form by their subscribing their signatures. The Lord Advocate had no reason to doubt that the pauper did make the statement on oath, as recorded by the justices. If it was the case that she was not born at Dungannon, county Kilkenny, but at Dungannon in the county of Tyrone, the Lord Advocate would recommend the Board of Supervision to give every assistance in their power to have the pauper re-transmitted to Glasgow. With regard to the legal point raised in the last half of the Question, the Lord Advocate does not feel called upon to give any information on that part of the inquiry.

INDIAN LABOURERS AT LA REUNION.

QUESTION.

Mr. ERRINGTON asked the Under Secretary of State for India, Whether he will lay upon the Table Copies of the Report of the Joint Commission appointed last year to inquire into the treatment of Indian labourers in the French Colony of La Réunion; and, of any Correspondence between the Government of India and the Foreign Office relative to the discontinuance of Coolie importation from India to French Guiana?

Lord GEORGE HAMILTON, in reply, said, the Report referred to in the Question of the hon. Gentleman was still under the consideration of the French Government, and until some authority was received from that Government, Her Majesty's Government would not be justified in publishing it.

THE DIVORCE COURT—"HUME v. HUME."—QUESTION.

Mr. BOWEN asked Mr. Attorney General, If his attention has been called to the case of Hume against Hume and others in the Divorce Court, reported in the "Times" of 2nd instant, and the observations of the Right honourable the President on the anomaly in the Law, through which, although

> "he had power," he said, "under the Divorce Acts to order the husband, when the successful party in the suit, to make a provision for the guilty wife, he had no power to make such an order in favour of an innocent wife, even though left destitute, on succeeding in her suit;"

and, whether it is the intention of the Government to introduce a Bill to amend the Divorce Acts in the present Session?

The ATTORNEY GENERAL: Sir, the observations of the right hon. President are not accurately stated in the Question. The President did not say that—

> "Although he had power under the Divorce Acts to order the husband, when the successful party in the suit, to make a provision for the guilty wife, he had no power to make such an order in favour of an innocent wife, even though left destitute."

What the President complained of was that he had no power to make a guilty husband make any provision for his guilty wife, the consequence of the defect in the law being that collusion is much encouraged. A provision in the Matrimonial Causes Bill, introduced by my hon. and learned Friend the Member for Durham (Mr. Herschell), is intended to remedy the anomaly complained of; and that Bill the Government intend to support.

TURKEY—CRETE.—QUESTION.

Mr. SHAW LEFEVRE asked the Under Secretary of State for Foreign Affairs, Whether the Government has received any late information confirming the statements in the Press as to the general insurrection of the Christian population of Crete, and also as to the massacre of Christians at Retimo; and, whether he will lay Papers relating to Crete upon the Table of the House at the same time as Papers relating to Greece?

Mr. BOURKE: Sir, communications which have been received from Her Majesty's Consul do not confirm the statement that there is a general insurrection of the Christian population of Crete, nor have they heard that there has been any massacre of Christians at Retimo, although considerable excitement no doubt, exists there. The Government, I may add, do not think it advisable to lay the Papers relating to Crete before Parliament at present, as such a course might have a tendency to increase the excitement which prevails in the Island.

FRIENDLY SOCIETIES ACT, 1875—LEEDS COUNTY COURT.

QUESTION.

MR. ASHBURY asked Mr. Attorney General, Whether his attention has been directed to the fact that Mr. Serjeant Atkinson, Judge of the Leeds County Court, in such Court, in the month of August 1877, adjudicated upon a Friendly Society dispute, and whether such adjudication was not a contravention of the following provision of the twenty-second Clause of the "Friendly Societies Act, 1875," viz. that disputes shall be decided in manner directed by the rules of the society, and the decision so made shall be binding and conclusive on all parties without appeal, and shall not be removable into any Court of Law; and, whether section thirty of the said recited Act can be made to apply to affiliated orders, such as the Ancient Order of Romans, the Manchester Unity of Odd Fellows, and the Ancient Order of Foresters, such not being societies receiving "contributions at a greater distance than ten miles from the registered office of the society by means of collectors?"

The ATTORNEY GENERAL: Sir, I am always anxious to oblige hon. Members who ask me Questions when I can fairly do so. With reference to the first part of the Question of my hon. Friend, I do not think it would be right for me to return a reply, for I do not feel myself at liberty to express any opinion upon the judicial action of a learned Judge. If the learned Judge entertained a case which he had no jurisdiction to deal with, the parties aggrieved have an appropriate remedy to which they can resort. As to the second part of the Question, it is directed, I find, to obtain in another way the information sought for by the first Question; and therefore, I regret to say, I cannot answer it. I may, however, refer my hon. Friend to section 22 of the Act, Sub-section D.

FACTORIES AND WORKSHOPS BILL.

QUESTION.

MR. BRIGGS asked the Secretary of State for the Home Department, If the opinions of the District Inspectors of Factories have been taken on the alterations of the existing Law proposed by the Factories and Workshops Bill either of this Session or the last; and, if so, whether he will kindly lay them upon the Table of the House?

MR. ASSHETON CROSS, in reply, said, the questions put by the Royal Commission to the several district inspectors of factories were of such a character as to elicit all the information they could give upon the general subject, and the answers given were printed at length in the Blue Book. All communications since then were of a private and conversational character. Therefore there was nothing in them that he could lay on the Table of the House.

THE EASTERN QUESTION—OCCUPATION OF GALLIPOLI.—QUESTIONS.

THE MARQUESS OF HARTINGTON: Sir, perhaps the Chancellor of the Exchequer will allow me to ask him, Whether he is able to make any further statement to the House in respect to the progress of the negotiations with regard to affairs in the East, and especially with reference to the despatch which he mentioned on Monday last as having been recently received from the Russian Government, and which was then under the consideration of Her Majesty's Government?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the communication to which the noble Marquess alludes has reference to the occupation or possible occupation of the peninsula of Gallipoli and the Straits of the Dardanelles. Some communications have passed between the two Governments, and the result arrived at is this—that the Russian Government undertake that they will not occupy any portion of the peninsula of Gallipoli or the lines of Boulair, or land troops on the Asiatic side of the Straits of the Dardanelles, there being a corresponding engagement on the part of Her Majesty's Government that they will not land troops either on the peninsula of Gallipoli or on the Asiatic side of the Straits of the Dardanelles.

THE MARQUESS OF HARTINGTON: I will venture to ask the right hon. Gentleman, Whether it is the intention of Her Majesty's Government to lay those Papers on the Table of the House?

THE CHANCELLOR OF THE EXCHEQUER: Yes—I apprehend that they will be laid on the Table. I do not suppose there will be any difficulty in doing so; but I cannot say at the present moment when they will be presented.

ORDERS OF THE DAY.

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FACTORIES AND WORKSHOPS BILL.

(*Mr. Secretary Cross, Sir Henry Selwin-Ibbetson.*)

[BILL 3.] COMMITTEE.

Order for Committee read.

MR. FAWCETT, in rising to move—

"That it be an Instruction to the Committee that they have power to insert provisions in the Bill for regulating the hours of labour and securing the attendance at school of children employed in agriculture,"

said, the question raised by the Amendment was simply, whether the House, having unanimously decided that the children employed in factories, workshops, and mines should not have their education spoiled by premature or excessive employment, was now going to make an exception, and allow children to be employed in agriculture without taking the slightest care for their education?

MR. GOLDNEY rose to Order. He asked whether it was germane to the Bill to raise the question which the hon. Member had done? The Bill was described "for the regulation of factories and workshops;" it consisted of 100 clauses, and there happened to be four which applied to the education of children employed in factories and workshops. The whole Bill related to factories and workshops. He therefore asked, whether the hon. Member's Motion was, in its terms, consistent with the rules of the House?

MR. SPEAKER: The Motion of the hon. Member for Hackney is in the form of an Instruction to the Committee. The Committee would not have power to deal with the question unless an Instruction of this kind were passed. So far as I can judge, I see no objection in point of Order to the Instruction as proposed to be moved by the hon. Member for Hackney.

MR. FAWCETT said, he had taken great pains, before bringing forward the Motion, to ascertain whether it was strictly in Order; and he thought he should be able to show that it was most germane to the objects of the Bill. The measure proposed to take the most anxious care for the education of every child employed in any one of the thousand industries of the country, and to prevent his being employed between the ages of 10 and 13 unless he attended school 13½ hours a-week. It went on to enact that if at the age of 13 he had not attained a certain standard of education, school attendance should be enforced until the child had reached the age of 14 years. These provisions would apply even to children employed in the homes of the poor, but they did not extend to agriculture. A child employed in agriculture, if at the age of 10 he had attained the Fourth Standard in reading, writing, and elementary arithmetic, or if he had made 250 attendances during the previous year, could begin work as a full-timer, and the State then washed its hands altogether of his education. What occasion was there for this distinction, and upon what ground was this line of demarcation to be drawn between agriculture and the other industries of the country? He knew that he would be answered by the statement that the measure was a sanitary one, but it was idle to contend that it was not an educational one also. If it was desirable to secure the education of children who were employed in factories and workshops, was it not equally desirable to secure the education of children engaged in agriculture during the same period? Looking upon it as a national question, no one would, he thought, for a moment contend that it was not just as important to the nation and the community that so important a branch of industry as agriculture should be administered and attended to by an educated, intelligent population, as it was for other branches of industry. It might be said that these regulations as to factories and workshops were intended for towns, while agriculture was carried on in the country. But the Bill applied to factories and workshops wherever they were situated, and there could not be a greater mistake than to suppose that they were all situated in large centres of population. In Yorkshire, in some quiet valley close to the unenclosed moor, they would find factories, and the children employed in those factories were just as much subject to the Act as those employed in Manchester or Birmingham. It was absurd, therefore, to discuss this question as if all our factories and workshops were in one part of the country and agriculture was carried on in another. He wished to show with what extraordinary inequality legislation would act both upon the labouring population themselves and also upon employers, if hon. Members permitted this Bill to pass without obtaining a guarantee that some measure would be introduced for securing the education of children employed in agriculture. If they looked at the future, they would see that the man, employed when a child in agricultural work, would find himself to a great extent ignorant; whereas his brother, because he had been employed in the factory or the workshop, and had had his schooling carefully watched over until he was 13 or 14 years of age, would be in an entirely different and improved position. He would, therefore, put it to the House whether agriculture should have this badge of inferiority placed upon it, and whether it should thus be discredited, and the priceless blessings of education denied to those who were engaged in it? But there was another aspect of the subject, to which he wished particularly to direct the attention of men of business in the House. The right hon. Gentletleman the Home Secretary, some three or four years ago, when he brought forward his Motion for a Commission, on whose Report the present Bill was based, was most specific and urgent as to the importance of avoiding, as far as possible, different labour regulations in regard to trades and industries which competed with one another in the same market; and that doctrine was enforced the other night, with great cogency and ability, by the hon. Member for Leeds (Mr. Tennant), who sat behind the Government bench. Now, what would be the position, with regard to the labour market generally, if they did nothing to secure the education of children employed in agriculture? Let them take a parent, for instance, who sent his boys to agricultural labour. Those boys would become full-timers when they were 10 years of age, and the parent had no further trouble with their education. If, however, he sent them to a factory or workshop, they were bound to attend school for 13½ hours in every week until they were 13 or 14 years of age. And what would be the result of such a state of things? The natural and equitable growth of labour would be disturbed; and it would have the effect of driving an undue amount of labour into the industry which was not restricted, and deprive of a fair share of labour those which were restricted, reducing wages, in the former case, below their natural rate, and, in the latter case, placing an obstacle in the way of employers obtaining their proper share of juvenile labour. One great disadvantage would therefore result, for many industries would be subjected to specific restrictions, while agriculture would be free from those restrictions. Then it was next said by the right hon. Gentleman the Home Secretary—"Oh, but in a matter like this, we must advance by degrees, step by step." The fact was, however, that instead of advancing by degrees, instead of going forward step by step, the steps which the Government had been taking were distinctly steps backward. In 1873 the Agricultural Children's Act was brought forward and passed by the assistance of hon. Members opposite, and was supported by two hon. Members who were supposed to be two leading representatives of agriculture in the House—the hon. Member for South Norfolk and the hon. Member for South Leicestershire. That Act distinctly recognized the principle that children employed in agriculture should make so many school attendances in the year, up to the age of 12 years. It was true that Act did not produce any great effect, because of its defective machinery. But it was pointed out that that machinery might be effectively improved, and the hon. Member for South Leicestershire brought forward a proposal to improve the machinery. What had been the action of the Government, however, in reference to that Act? Why, the noble Lord the Vice President of the Council, in introducing the Education Bill of 1876, actually repealed the Act without giving any explanation; and, at the present time, so far as the principles of the question were concerned, we had distinctly gone backwards. That was clearly shown from the fact that, before the repeal of the Act, children employed in agriculture and other industries were bound to make a certain number of attendances until they were 12 years of age. That was not so now, as a child could not be employed in agriculture until he was 10 years of age; and, when once employed, he need not make a single school attendance. His Motion was objected to on the ground that it would necessitate a great army of Inspectors to carry out the education of agricultural children, and that it was idle to bring such a Motion forward. But if this plea of an excessive number of Inspectors was to be urged as a reason for doing nothing for agricultural children, what would become of the plea when they came to the portion of the Bill which sanctioned interference with all the industrial homes in England, by empowering Inspectors to knock at every man's door, in order to ascertain whether the mother or the child were making up any work from which they could possibly derive any profit? If it was intended to let the Inspectors pry into every corner in England, they would want, for the metropolis alone, five times more Inspectors than all the agricultural children in England would require. But then, perhaps, it would be said that the Commission, on whose Report the present Bill was based, did not recommend that agriculture should come within its scope. In one sense it was true they did not; but in another, they did recommend some such provision as that set forth in the Motion now proposed. They said there was sufficient evidence to show that women and young persons were not injured by agricultural work; but, with regard to children, they again and again distinctly recognized the principle that children employed in agriculture should be educated as efficiently as children employed in other industries. Perhaps it might be said that this was a difficult subject. It might be so; but what was its difficulty compared with carrying factory Inspectors into all the industrial homes of England? He submitted that the two matters were not to be compared. But, again, it had been urged with regard to the Report of the Agricultural Commission, which reported in 1869, and recommended restrictions, that the Commissioners were not agreed, and that no legislation was needed. But although Mr. Tremenhere and Mr. Tufnell did disagree in some respects, they agreed in others. But what did the Government do? They undid that which Mr. Tremenhere said ought not to have been undone, and they did that which Mr. Tufnell said ought not to have been done. Mr. Tremenhere said that a certain amount of school attendance ought to have been enforced on children employed in agriculture until they were 12 years of age, and the Act which secured that object the Government repealed; while, on the other hand, Mr. Tufnell said that of all the farces that possibly could be with regard to education, the greatest was to rely simply upon the certificate of 10 years of age—because, while it kept the stupid child out of work, it sent the clever child to work prematurely, and eliminated all high intelligence from the labouring classes. What one Commission condemned, the Government now rested upon; and the only security now left was that the child should have made so many school attendances up to 10 years of age, and then he might go to work. He might be told that this Motion was inopportune. So far as he remembered, he had never brought forward a Motion in the House which was not inopportune. Ten years ago he brought forward a Bill upon this subject. That was inopportune, and not only so, but he was severely reprimanded, and told it was a subject which the Government ought to deal with. He next took refuge in an abstract Resolution, and, of course, that was highly inopportune. He was told next to wait for the Report of the Royal Commissioners. He did wait for it, and brought forward another Resolution, and pressed for legislation. Then he was told that there would be legislation if he withdrew his Resolution, and in a moment of weakness he did withdraw it. He pressed for legislation again in 1875, when he was told how unreasonable it was to bring forward the question again, seeing that the Agricultural Children's Act had only been in operation for a few months, and that he ought to wait to see the results of that measure. He did wait, and what was the result? The Government repealed the very Act upon which they placed so much reliance, leaving nothing whatever in its stead. Last year, when again calling attention to the matter, he was told that the question was inopportune, and was referred to the Vice President of the Council. He went to the Vice President, and the answer he received was that the Government had made great efforts for the education of agricultural children, but that they had given no pledge to legislate upon the subject. He had been asked whether he would take the sense of the House on this Motion, and if he received a similar reply he certainly should do so. When this question came before the House last year, the right hon. Member for the City of London (Mr. Goschen) tried to discover some danger which might possibly arise from the enfranchisement of the agricultural labourers. The agricultural labourers were the only great class of labourers in this country who were unrepresented; and in after life it was the agricultural labourer who alone would be able to say, that of all the great industries of the country, the State took no care of his education, and denied him the blessings arising from it. He begged to move—

> "That it be an Instruction to the Committee, that they have power to insert provisions in the Bill for regulating the hours of labour, and securing the attendance at school of children employed in agriculture."

MR. J. W. BARCLAY, in seconding the Amendment, said, the speech of his hon. Friend had been so full and exhaustive that it left him little to say; but he should like, in the few remarks he had to offer, to look at the question from the farmer's point of view. It used to be supposed, not altogether falsely, that an agricultural labourer required very little knowledge and very little intellect for the labour he had to perform; but such an idea was now altogether a mistake, for what with improved labour-saving implements, and the introduction of machinery into farming, an agricultural labourer required a better general education than the artizan, who did not require so much general information. Experience now showed that the agricultural labourer who had not had some education in his youth, and had not had his intellectual faculties in some way drawn out, could not exercise that amount of thought, that amount of reasoning faculty, which was necessary to work advantageously the improved modern implements now used. One of the principal hindrances in the way of the introduction of steam in agricultural processes was, that it was impossible to find agricultural labourers sufficiently skilled to work the machines. While his hon. Friend had dwelt upon the necessity of education from the children's point of view, and from that of the general public interest, he insisted on the necessity of their education in the interest of the farmers themselves. He was very happy to believe that the compulsory provisions contemplated would not be required in Scotland. If children under 13 were employed there at all in agriculture, they were not required for more than two months of the year, the time being divided into one month at harvest, a fortnight at potato planting, and a fortnight at potato gathering. In England they might add to this a month for weeding, and another month for gathering fruit. There would still be eight months in the year during which children ought not properly to be employed on farms, and during which they might comply with the provisions of the Factory Acts, and obtain education by means of the agencies now in force. In Scotland, however, he was glad to say parents vied with each other in endeavouring to give children the best education in their power, and it would be thought derogatory even for an agricultural labourer to send his children out to work at the tender age customary in England. Speaking not only from his own experience, but from the experience of large farmers in his constituency, he said, with very considerable confidence, that it was very little profit or advantage, indeed, to employ juvenile labour upon a farm. In proof of this, one illustration of the effect of premature employment of labour upon farms would be, perhaps, of more effect than any argument which he could use. The hon. Member for South Norfolk (Mr. Clare Read), who had given much of his personal attention to this subject, made with him a few years ago a comparison as to the cost of wages on their respective farms in Norfolk and Aberdeenshire. Twelve months later, his hon. Friend having occasion to address a body of agricultural labourers, referred to the two farms, which he conceived should require about the same amount of manual labour. Yet the labour bill on the Aberdeenshire farm was only £510, while that on the Norfolk farm was £800. Therefore the hon. Gentleman came, he said, reluctantly to the conclusion that the highly paid Scotch hind was a cheaper and better man than the Norfolk labourer. In his statement his hon. Friend omitted one very significant point, that in Norfolk he paid 14*s*. a-week all the year round, while in Aberdeenshire he (Mr. J. W. Barclay) paid his labourers 20*s*. a-week each. While they had on both farms an equal amount of labour done, and he (Mr. J. W. Barclay) paid nearly 50 per cent more wages to each man than his hon. Friend, yet the labour of his farm cost 30 per cent less than the labour on his hon. Friend's farm. What was the explanation of such an anomaly? The only explanation which he (Mr. J. W. Barclay) could conceive, and he knew the circumstances pretty well, was this—that those children who were sent so soon afield became stunted men, who had neither the physical strength, energy, nor spirit to do a fair day's work; and the farmers of England, by putting the children to work so early as they did, were doing a great injury to themselves by greatly enhancing the future cost of labour. If this were not the explanation of the facts he had mentioned, he should be glad to have any others. It seemed to him that they had here conclusive proof of the injudiciousness and unwisdom of the English farmer in turning little children so early afield. Instead of being educated and working a few months in summer, the children were exposed in the cold days of winter to hard labour, and grew up to be stunted men in after years, from whom the farmers could not get a fair day's work. In this view of the case, he thought it would be doing a great service to the farmers of England, indeed, if the right hon. Gentleman the Home Secretary would use a moderate pressure—he hoped only moderate pressure would be required—to induce them to put their children to school for the period from 10 to 12, if not to 13, years of age. If this were done, they might hope in a few years to have a supply of labourers far superior in physical strength, and with also that superiority in education which was required now-a-days, to meet the exigencies of modern British agriculture.

Mr. J. W. Barclay

Motion made, and Question proposed,

"That it be an Instruction to the Committee, that they have power to insert provisions in the Bill for regulating the hours of labour and securing the attendance at school of children employed in agriculture."—(*Mr. Fawcett.*)

Mr. GOLDNEY declined to enter into a discussion as to the physical condition of agricultural labourers in different parts of the country, believing such a question to be quite irrelevant to the principle of the Bill. Neither did the Amendment appear to him to be germane to a measure which dealt incidentally with the question of education, for only four clauses out of 100 composing the Bill had reference to that subject. But as the House had heard the speech of the hon. Member for Hackney, he would in reply state a few facts to demonstrate the erroneous view that hon. Gentleman had taken on this and several other occasions when discussing the subject of education in the agricultural districts. The hon. Gentleman had made serious charges in reference to education in rural places, and had stated on one occasion that nothing had been done, nothing was being done, and nothing would be done for the education of children employed in agriculture; but he would show that under the provisions of the Act of 1876 as much was being done for them as for children engaged in any other occupation. Under the Education Act no child, whether employed in agriculture or in factories or workshops, could be set to work until he was over 10 years of age, and then he must have passed certain Standards, or have made a sufficient number of attendances, which became higher each year until 1881. In the year 1876 the Vice President of the Council of Education (Viscount Sandon) introduced a measure which subsequently became law, and which gave parishes all over the Kingdom through the Boards of Guardians very large powers to extend the restrictions of the Education Act to children between the ages of 10 and 13 years; and no doubt he should astonish the House by stating that under the Act of 1876, which only came into practical operation last May—for the election of School Committees took place in April—bye-laws had been submitted to and sanctioned by the Department which would embrace in their operation no less than 500,000 children in Lincolnshire, Devonshire, and other agricultural counties. The effect of these bye-laws was that no child under 13 should be allowed to work unless he had passed a certain Standard, and had made a certain number of attendances, and unless he had passed a still higher Standard he could only be employed as a half-timer. This he considered was a most extraordinary effort on the part of one particular class of the community to give to the children who worked for them the benefit of educational privileges, and it was very hard under such circumstances that those interested in agriculture should be taunted by the hon. Member with having done nothing, and having no inclination to do anything for the the educational benefit of the children they employed. It would be impossible to include agricultural children within the operation of the Bill with any practical advantage to the children themselves, and they could not be employed under the same conditions as children engaged in factories or workshops.

Mr. FAWCETT said, he was sorry to interrupt his hon. Friend, but he had distinctly guarded himself against proposing that they should be placed under the same regulations. The plan he advocated was that there should be throughout the year a certain number of school attendances; but he never said anything about the half-time, the alternate day, or the alternate week system.

Mr. GOLDNEY was very glad to hear the hon. Gentleman's explanation, because he saw he was quite on all fours with him in reference to that particular point. He had assumed that the hon. Gentleman had taken a contrary view, which he knew to be impracticable. The bye-laws contemplated that children employed between the ages of 10 and 14 should make, say, 150 attendances during the year, but not necessarily on alternate days or weeks. As in other countries, advantage must be taken of given periods of the year to get through certain agricultural work, and during the remainder of the year children could make up the requisite number of attendances. He hoped that after his statement the Amendment would not be pressed, as it would discourage the efforts of those who were engaged in putting the present law into operation, and impede the progress of a measure having a different object in view.

Mr. MARK STEWART also opposed the Amendment, because he objected to its principle being embodied in a Factory and Workshops Bill. The hon. Member for Chippenham (Mr. Goldney) had referred to the extent to which the bye-laws were being put in force in the southern parts of the country, and he could testify to the pains which were being taken in the North to get agricultural children to school. The hon. Member for Hackney had laid stress upon the fact that he had often been laughed at for bringing forward inopportune Motions; but the House would surely agree that this was no time to raise such a question. Allusion had been made to the number of Inspectors who would be required to get the children into school; but however many they had it would be impossible to compel the attendance of agricultural children at school during all seasons of the year. It had been said that children need only be absent from school during the times of harvesting and potato gathering and planting; but in Scotland there were other seasons when the services of children on the land were highly necessary. Turnip hoeing, for example, was a most important operation in the South of Scotland; and if it were performed hastily, and without sufficient care and attention, the damage and destruction to the crops would be so great in some months of the year that the face of the whole country would be set against education, and it would be impossible to carry out efficiently the provisions of the law. Parents in Scotland were very diligent in sending children to school for eight or nine months during the year. All the farmers had an interest in attaining that end, and many of them were members of school boards; and it was only when the real stress of work came that farmers had no hesitation in employing children in the fields. There was such a great difference between the circumstances under which children were employed in manufactures and in agriculture, that he hoped the Government would not consent to have provisions relating to both jumbled up together in one Bill. A manufacturer had many more children to pick and choose from than a farmer, and could obtain a sufficient number of extra hands under the pressure of a large order; whereas farmers had to get what hands they could, often in a sparsely-populated country, or without them loose their crops. Again, a manufacturer, in the execution of a large foreign order, was independent of the weather; but unless a farmer took advantage of the fine days to gather his crops he must suffer severely. The hon. Member for Forfarshire (Mr. Barclay) had drawn a picture of the great advantages to be found in the higher wages paid in the North, as compared with the results obtained by paying a lower scale of wages in the South; and had urged, somewhat curiously, that because agricultural children in the South might be stunted in their educational training, they turned out inferior in *physique* to those in the North; but it was unfair to attribute so much to education—as other causes, such as difference in race and character, must have an effect on the development of the Northern and Southern peasantry. As the Amendment was inopportune in a Bill of the kind, and would satisfy neither employers nor employed, he trusted the Government would not assent to it.

Mr. MACDONALD wished to say that the hon. Member for Hackney had not desired that this question should be dealt with in the Bill, but that the Government should give some assurance that the matter should be legislated upon during the Session in some way or other. The hon. Member had laid down no mode in which his Resolution should be carried out, so that the matter was quite open. He was glad to hear the statement of the hon. Member for Chippenham (Mr. Goldney) that 500,000 of agricultural children had been brought under the Education Acts; earnestly he wished that he would be able soon to say that all were being educated; but he saw no reason why they should not have applied to them the compulsory laws which already related to children employed in factories and mines. He supported the Amendment.

Mr. ONSLOW said, certain hon. Gentlemen were very fond of saying hard things against farmers, in the same way as others were never tired of attacking the Clergy of the Church of England; but, judging from what he had seen in the part of Surrey where he resided, none were more anxious than the farmers and Boards of Guardians to see the children employed in agriculture educated. Bye-laws had been passed, by means of which they hoped to catch every child in the district; and he, amongst others, had received a Question Paper under the Elementary Education Act, asking for particulars as to the names, ages, and instruction given to his own children. The views of many farmers of Sussex and Surrey, expressed while the Education Acts were under discussion, were that children employed in agriculture should be educated; but that it was undesirable to go too far at first, and that it should be seen how a tentative measure worked before it was sought to pass more stringent enactments. He held this view, and hoped the country would not be inundated with Inspectors if it could be avoided. It would not be possible, if the Amendment were carried, to deal with agricultural children under such a Bill as that before the House. The hon. Member for Forfarshire had argued that because labourers were not educated so highly in the South as in the North, they were inferior; but it must be remembered that long before labourers in England had been educated at all, farmers said they got more work out of them, and that they were better men than they were at the present time. There was a great deal of juvenile labour employed in the South, and the difficulty was to get enough of it, on account of the obstacles thrown in the way by education. He trusted, therefore, that no more stringent measures would be put upon the farmers for the present, and that the Act of 1876 would be allowed to be in operation a few years longer before it was sought to harass one of the greatest industries of the country.

Mr. MUNDELLA said, he should be very sorry to see this discussion degenerate into vapid declamation against farmers, or any other class. His desire was that education should make progress in this country; and he was bound to recognize what had been done by the hon. Member for South Leicestershire (Mr. Pell) and the hon. Member for South Norfolk (Mr. Clare Read) in the Bill which they introduced three or four years ago. Really that Bill was a great improvement upon any former measure for the education of children employed in factories. It placed all children engaged in workshops under the provisions of the Act of 1874. No child could be employed till he was 12 years old; he might then work on half-time until he was 13; and then, if he passed a Standard fixed by the Education Department for the time being, he might continue as a half-timer until he was 14. That was a very stringent and a very proper change in the Act, in his opinion. He asked the House to consider what would be in future the position of the agricultural districts and of the manufacturing districts. He agreed that they could not have a "hard-and-fast-line" which would be applicable alike to both. The two cases were utterly dissimilar. They could not send a child to school for five half-days in the week all the year round in the agricultural districts as they could do in the case of children employed in factories. But they might avail themselves of the winter months. How was it proposed to do this? There was nothing to enable them to do it, either in this Bill, or in the Education Act of 1876.

MR. GOLDNEY, interposing, remarked that that Act empowered the Guardians to pass bye-laws.

Mr. MUNDELLA observed that that power was permissive, and not compulsory. Their legislation on this subject had been of a piecemeal kind. What was wanted was not a body of Inspectors to see how many children were employed on a farm and how many days they attended school; but some means of laying down that every child who was employed in agriculture should have a certain amount of education. In that respect the Act of 1876 was most defective. He was prepared to support the present Bill in nearly all its principles and in its general application. But if they enacted that a child employed in manufactories should not go to work until he was 12 years old, and that he should continue to be a "half-timer" until he was 14, what an inducement they would give to parents, in places where the two industries were going on side by side, to find agricultural employment for their children. Why should they not have something like equality in this respect? The principle had been applied to agriculture in Scotland, and the same thing ought to be done in this country. Every Scotch child went to school until he was 13 years of age. He appealed to the House whether they ought not to do something to remedy the existing state of things. The Factory Acts had a double object, as far as children were concerned. One object was sanitary; the other, educational. He admitted that a child employed in agricultural pursuits did not require so much care to be taken of his health as a child employed in a factory; but surely the former ought to have as much education as the latter? Why should not the House resolve that all British children should have the same education whether their parents were artizans or agricultural labourers? The hon. Member for Chippenham (Mr. Goldney) had made a very large concession when he said that suitable times would be accepted. But were the Government going to advise that? If not, they were simply giving a premium to the parent in a manufacturing village to send his boy from 10 to 14 years of age to work full-time at agriculture, and afterwards to bring him back to work in a factory when he was 14. Was not this a natural consequence of making a distinction between the two branches of industry? It was said that the proposal of the hon. Member for Hackney was inopportune. Well, it always was inopportune. When the Education Act was introduced, this subject was said to be inopportune; and now that the labour question was under discussion, it was said that this subject must be dealt with in a separate Act. As long as it was dealt with effectively in some way or another, no one would have a right to complain, whereas if it were not dealt with at all, everybody would have good grounds of complaint. He thought they ought to apply to agriculture this lever, which had worked so well in manufactures, and to provide that children employed in agriculture should be educated as well as those who worked in factories.

Mr. CLARE READ was much obliged to his hon. Friend the Member for Forfarshire for having made the statement with regard to the wages paid to Scotch labourers as compared with the wages paid in England. That statement showed that in England the farmers did not pay so miserable a pittance for labour as many hon. Gentlemen opposite supposed. The hon. Member for Forfarshire had quoted from a statement which he had made. He, however, was speaking on that occasion of the winter time, when the wages of an agricultural labourer in Norfolk were 14s. a-week; but if they were to extend over the whole year, the harvest wages, piecework, and extra time during the summer, the Norfolk labourer would receive quite 3*s*. a-week more than he was receiving in the winter. The worst of it was, that somehow or other these subjects were so complicated that we could not quite unravel them. Those who spoke of the cheapness with which farms were managed in Scotland never stated, by any chance, how many women were employed on the land. Generally speaking, when he had been upon a Scotch farm, he had seen two women to one man. On an English farm, on the contrary, there were 10 men to one or two women, and the latter were employed chiefly in the summer months. It struck him that it was quite as well to see a strong boy of 11 or 12 years of age working on a farm, as it was to see women employed in some of the operations of agriculture, in the way he had seen them employed in Scotland. The hon. Member for Forfarshire imagined that the *physique* of boys was better developed in Scotland than in England. Perhaps the abundance of milk might have something to do with that, for in Scotland there was a great deal of milk compared with the small quantity which was to be found on the arable lands of England. It had been said it was necessary that a labourer should be well educated in order that he might understand machinery. To that argument he would reply, that it was wonderful to see how well many an ordinary agricultural labourer could manage an intricate steam-engine. For his own part, he believed that if a man had not a mechanical genius within him, no amount of education could knock it into him. He would appeal to the hon. Member for Sheffield (Mr. Mundella) to let the agriculturists alone for a time. It was only last May that the new Act came into force, and the provisions of that measure would increase in stringency very considerably during the next four or five years, until the year 1881. If at that date it was found not to be stringent enough, by all means let hon. Gentlemen opposite move still more stringent clauses. His hon. Friend the Member for Sheffield said that there were now only moderate restrictions on agricultural children, and that the Legislature did not insist on their having so much education as children employed in workshops and factories were compelled to receive. He would remind the House, however, that this kind of legislation had been going on for factory operatives during 30 or 40 years, whereas no restriction had been placed on the employment of agricultural children until the passing of the Act introduced by his hon. Friend the Member for South Leicestershire.

Mr. MUNDELLA said, the largest proportion of operatives—namely, those employed in workshops, were not brought within the scope of the law until the year 1867.

Mr. CLARE READ went on to remark that that was 10 or 11 years ago, and that the Act in question was passed by the Gentlemen who now occupied the Treasury benches. In Scotland, it should be remembered, a good system of education was established throughout the length and breadth of the country 300 years ago. Indeed, in the rural districts of Scotland, it had always been the pride and boast of the inhabitants that their agricultural labourers were well educated. Under all the circumstances, he appealed to hon. Gentlemen opposite to give the agricultural interest a little time to recover from the severe restrictions already placed upon them—and, in 1881, if they should be found insufficient, he should be happy to increase their stringency.

Mr. STORER thought the hallucination under which hon. Gentlemen opposite seemed to be labouring, with regard to the effect of the Education Acts on agricultural labourers' children, was most extraordinary. It was incorrect to say that these Acts were not compulsory, for in point of fact they were compulsory in the highest degree. A farmer could not employ a boy under 10 years of age, and it was made penal to employ a boy at a later age, unless he had an educational certificate. What could be more compulsory than that? In some parts of his own county children could not be obtained at all to work on farms owing to the regulations which obliged them to go to school. To make the existing law more stringent would be equivalent to driving agriculturists to the Scotch and Welsh system of employing women in agriculture if they could be obtained. He knew one case in his own county where children could not be procured to drive manure carts, and women were accordingly employed for the purpose. He hoped the Motion of the hon. Member for Hackney (Mr. Fawcett) would not be pressed to a division. Referring to the statements of the hon. Member for Forfarshire, he said he thought that it would be found that labourers were quite as good in England as in Scotland, and that they were quite as dear. There was no doubt that if more restrictions were insisted upon in this country they would drive the farmers to despair.

LORD FREDERICK CAVENDISH said, he should be unable to support the Instruction which his hon. Friend had moved, although, at the same time, he agreed with many of his hon. Friend's arguments. For example, he admitted that uniformity was of great importance. No one could doubt that it was equally important that children should be well educated, whether they were employed in workshops or in agricultural labour. In his opinion, they ought to have free trade in labour, and none of those bounties which were at present given to certain kinds of employment. The present measure, however, was a Consolidation Bill, based to a great extent on the Report of a Royal Commission, of which he had the honour of being a Member. The task imposed upon the Commissioners was a most difficult one. Among other things, they had to consider how far the Factories and Workshops Acts could be made applicable to agriculture. The Commissioners reported against such an extension of the provisions of the Acts. They were prepared to vote whatever sums of money were necessary for a very large staff of Inspectors; but it seemed to them that the object desired could be attained much better by means of bodies like school boards, which they hoped soon to see established throughout the country. It was with that view that the Commissioners recommended that the laws relating to the employment of children should be assimilated in the matter of compulsory attendance and non-employment up to the age of 10 years; and that between the ages of 10 and 14 some system of half-time—he did not say whether it should be half-days or what—should be applied to all employments. At the time that the Elementary Education Act of 1876 was before the House, he (Lord Frederick Cavendish), in common with many others who felt with him on the subject, urged that these recommendations should be adopted. But he was sorry to say they were defeated, and another plan was adopted by a very large majority. That having been done, and the plan which was adopted only having come into force in last May, he thought it was impossible to suppose that the House would now reverse the former decision deliberately arrived at by a very large majority in 1876. He could not think that the House having done that, would like now to call on the Government, in a Bill which was mainly a Consolidation Bill, to jeopardize that measure by the introduction of the complex machinery which would be necessary to carry out the wishes of the hon. Member for Hackney, and to attain an object which, in 1876, it was contended that it would not reach. He wished to say one word in respect to what had fallen from the hon. Member for Sheffield (Mr. Mundella.) He said in that Consolidation Bill they were making the laws respecting the employment of children much more stringent. But that which the hon. Member thought was now introduced for the first time, was really proposed in the Elementary Education Act of 1876. And he (Lord Frederick Cavendish) thought if there was a Member of that House who would be well acquainted with the whole details of that matter, it would be the hon. Member for Sheffield. However, in conclusion, he trusted that before long they would see the principle of assimilation carried further, and compulsory attendance up to 10 years of age, and half-time in some form up to the age of 14.

MR. ASSHETON CROSS said, he agreed so much with what had fallen from the noble Lord opposite (Lord Frederick Cavendish), that he did not think it would be necessary to trouble the House with more than a very few words. He heartily appreciated the motives of the hon. Member for Hackney (Mr. Fawcett) in bringing forward the Motion; but he agreed with the noble Lord that to carry out the wishes of the hon. Member would be beyond the powers of the staff of Inspectors they contemplated appointing, and that the whole question was outside the principles of the Bill. He thought they might take it for granted that inquiries had already been made on that subject, and the conclusions of the Royal Commission made it quite clear that, as far as the health of agricultural children was concerned, nothing was wanting. As far as their social condition was concerned, that practically was met, when required, by the Agricultural Gangs Act—which set out that those matters ought to be regulated very much more by provisions concerning age, sex, the distance the children had to walk, and other matters, than by any other means, and that that must be carried out locally, and not by any central inspection. Then, practically, the Motion of the hon. Member for Hackney went purely to the question of education, and he joined with the hon. Gentleman very much in the wish that in process of time those children should have the best education that was to be obtained in the country. But when the hon. Gentleman said that they must place those children at once on the same footing as the children under the Factory Acts, he (Mr. Cross) must ask him to remember the whole system on which the Factory Acts were based. No one imagined that the Factory Acts were not of gradual growth; and it was only by a gradual improvement in the education, and in the laws respecting education, that they could, without inflicting the greatest possible injuries on the industries with which they were dealing, bring it up to the necessary standard. The noble Lord (Lord Frederick Cavendish) would, he was quite sure, bear him out when he said that although it was quite true that they did not recommend that agriculture should be included in the Bill, they made certain recommendations which they thought should be carried out. But the noble Lord had not the advantage at that time of the discussions which took place during the passing of the Elementary Education Act of 1876, and that Act was passed since the issue of the Report of the Commission. This seemed to him to make a very great difference. That Act had really only been in operation a very short time, and he thought a large majority of hon. Members would agree with him when he said that time ought to be given for seeing the effect of the Act. They hoped, that as people became accustomed to the working of the Act, they would themselves see the advantages of education, and would be the first to promote a system which, if forced upon them, they might feel inclined to resist. He might say, before sitting down, that the Education Act was really working even very much better than had been stated. He had, from the very highest authority, a few facts which he should like to quote to the House. Taking the population of England and Wales at 23,700,000, there was a total attendance, under the school attendance committees, of over 1,000,000; under school boards, 11,597,000; making a total of 12,679,000 —while 2,500,000 more might be added, who would be brought under schemes at present before the Education Department, and that brought the number of those practically under the operation of that Act to over 15,000,000 out of 22,000,000. That was certainly saying a good deal. He ought also to call the attention of the House to the model bye-laws which were issued by the Education Department, and which affected that particular part of the question; because those bye-laws, which, he understood, were being very generally adopted throughout the country, contained the minimum requirements of the Education Department. One of these provisions was that a child between the ages of 10 and 13 should not be required to attend school if the child had received a certificate from one of Her Majesty's Inspectors proving that he had reached the Fifth Standard. That, he thought, showed that there was a great and growing anxiety in the country to put those bye-laws into operation, while the Education Department had not been slack in trying to raise the standard of education. That being so, he did hope that hon. Members would allow the Act to work for a few more years, as it really could not yet be said to be in full operation, before they attempted to disturb it by fresh legislation. He could not conceive that the terrible picture which had been drawn by the hon. Member for Forfarshire (Mr. J. W. Barclay) of the difference between one child which attended school between the ages of 10 and 13, and another that did not, could be an accurate one. He could not say that the proposal of the hon. Member for Hackney (Mr. Fawcett) would be fatal to the Bill; but it would cause so much delay and inconvenience, and would also raise so much opposition to it, that he was quite certain it would be almost impossible to pass it. He quite agreed with the noble Lord who had just sat down (Lord Frederick Cavendish), that the best way to promote education was not by Inspectors under the control of the Secretary of State, but through the school boards and school attendance committees throughout the country. He believed those bodies were doing their duty, and that they would carry into effect before long all that the hon. Member for Hackney wished. He therefore trusted the House would now allow them to go into Committee.

MR. FAWCETT said, that although he had no right to reply, the House would perhaps allow him to make one observation. He did not propose to bring children employed in agriculture under the same provisions as children employed in factories; but what he wanted was to bring them under educational provisions similar to these new provisions, which, by that Bill, would be applied to every child in England working in his own home. On that point he had received no assurance from the Home Secretary, who only said they must rest satisfied with the working of the Act of 1876.

Question put.

The House *divided:*—Ayes 93; Noes 208: Majority 115.—(Div. List, No. 23.)

Bill *considered* in Committee.

(In the Committee.)

Preliminary.

Clause 1 (Short title) *agreed to.*

Clause 2 (Commencement of Act) *agreed to.*

PART I.

GENERAL LAW RELATING TO FACTORIES AND WORKSHOPS.

(1.) *Sanitary Provisions.*

Clause 3 (Sanitary condition of factory and workshop).

MR. MACDONALD moved, in page 1, line 25, after "harmless" to leave out to "all," on the ground that they were unnecessary, and that such words tended to make Acts of this nature inoperative. The words would give the owners an opportunity of escaping from the consequences of not complying with the provisions of the Act. He hoped the right hon. Gentleman who had charge of the Bill would see his way to remove the words of which he complained. As a matter of course, he should not attempt to divide the House on the question; but he hoped the right hon. Gentleman would consider whether it really did not impede the force of the Bill if such a provision as that were allowed to be inserted. He felt confident that these words were put there not to strengthen the Bill, but the reverse.

MR. ASSHETON CROSS said, of course the object of the hon. Member was entirely the same as his own; but he would remind him that the words of which he complained actually had been in force for a long time. They appeared in the Act of 1864, and also in the Sanitary Act of 1866; and, he believed, had hitherto worked very well. But in a factory they could not do things which could be done in other places, and he did not see how he could accept the Amendment.

MR. PARNELL asked the Home Secretary, whether it would be the duty of the Inspectors who were appointed to see that the provisions of the clause were carried out?

MR. ASSHETON CROSS replied that it would be the duty of the Inspectors to see that that portion of the clause was carried out where there were structural works which required it.

Amendment *negatived.*

DR. KENEALY wished to point out the necessity for some better definition of the provisions to be enforced for ventilation. As the clause stood, he feared it would be inoperative in that respect. Who was to define what was meant by ventilation?

THE CHAIRMAN said, the hon. Member would not be in Order in making any general observations now, unless he proposed to move an Amondment to the clause.

DR. KENEALY replied that he did propose to move an Amendment. This was a matter of grave importance to the borough which he represented, in which many thousands of persons were engaged in the different departments of pottery, and he could show the Committee that the health of the operatives was seriously injured, and the mortality among them rendered excessive, from the want of proper ventilation and other sanitary arrangements in their workshops.

Mr. ONSLOW rose to Order. The hon. Member had announced his intention of moving an Amendment, but he had not stated what were its terms, and the Committee were quite in the dark as to the question before them.

The CHAIRMAN said, that inasmuch as the hon. Member had declared his intention to conclude with an Amendment, he presumed his remarks were directed to the subject of that Amendment; but he must point out that it would be much more convenient to the Committee to have a definite proposal before them.

Dr. KENEALY replied that he had not drawn his Amendment, as he had wished before doing so to see what a discussion would elicit.

The CHAIRMAN pointed out, that unless the hon. Member had an Amendment to propose, he must defer his general observations on the clause till the Question was put that the clause stand part of the Bill.

Dr. KENEALY moved to add words to render imperative the use of smoke-consuming furnaces.

Mr. ASSHETON CROSS remarked that he could not accede to the Amendment. The words of the clause were copied from existing Statutes, and no difficulty had ever arisen about their interpretation.

Amendment *negatived.*

On Question, "That the clause stand part of the Bill?"

Dr. KENEALY said, that he was not by any means satisfied with the clause, because, as it seemed to him, the general word "ventilation" in it was too vague to secure the object desired. It was owing to want of ventilation that some of the most serious diseases befel the working classes. That was particularly so in the potting trade, in which he, as Member for Stoke, felt deeply interested. There were, in round numbers, 46,000 persons employed in pottery work in this country, of whom 30,000 were males and 16,000 were females. That was a very large number; and it behoved the House to consider well the language of an Act which concerned the happiness and health of so many individuals. In the Potteries which he represented, there were 13,000 males and 7,000 females engaged in this branch of industry, and it was on their behalf he now stood up. They were persons for whom all sympathy and respect should be felt—persons of cultivation and high artistic skill. They filled the mansions of Kings and Nobles with beautiful works, and brought beauty into the humblest home. Now, among these persons it had been proved that three diseases prevailed much—namely, scarlet fever, typhoid, and cholera—diseases in a great measure preventible; and which were owing also, in no slight degree, to want of proper ventilation. To these must be added scrofula, which was due to want of fresh and healthy air, as much as to any other cause. Now, he found that taking 100 as the average of deaths of males of all ages in England, who worked at employments, those of grocers ranged from 75 to 78, those of workers in wool and worsted from 100 to 126, publicans from 138 to 157, cabmen, &c., 143 to 150; the mortality among workers in earthenware rose from 138 and 154 to 192. That was a sad contrast to that presented in other callings, and well deserved public attention. These persons were, as a rule, properly fed, and they were not intemperate. Instances there were, no doubt, where many of them drank too much; but, as a rule, the persons engaged in potting were sober, regular, and temperate of life. There were among them two special diseases, which were traceable distinctly to that want of proper ventilation in the workshops for which he contended, and to which he specially directed the attention of the right hon. Gentleman the Home Secretary—and those diseases were "Potter's asthma" and pulmonary consumption. If the right hon. Gentleman could arrest the progress of these scourges, he would deserve well of mankind; nor did he doubt that the right hon. Gentleman had any wish to do so; for the Bill which he now brought forward was one, that like the admirable Artizans Dwellings Act of a year or two since, did honour not only to himself, but to the Ministry under whose auspices it was introduced. There was another disease called "lead paralysis," which could not be interfered with, indeed, by ventilation; but surely the right hon. Gentleman, surrounded as he was by the best counsel, might devise some means by which that dread calamity might, at all events, be made less frequent than it unhappily was. This was produced by the lead that was used in order to give a gloss to earthenware; and it would be a proud discovery if Science could find out some other material that would not be noxious, and Law could enforce the general use of that material in place of so powerful a poison as was contained in, and communicated by, lead. He invited the right hon. Gentleman's attention to this. The whole course of his legislation in that House indicated a warm sympathy in remedial and beneficial measures for the humbler classes of society. No sort of provision was contained in this Bill to meet this particular evil; nor was there any that could war against the diffusion of fine dust, which was the source of much disease. The following extract from *The Journal of the Society of Arts*, showed how great were the ravages produced; and great would be the honour of the framer of the Bill, if he could alleviate them:—

> "The statistics on this part of the subject have been admirably worked out by Dr. Arlidge, who obtained every fact that was obtainable from the register of deaths in Stoke parish, and who declared that in that parish lung diseases and phthisis kill 13·41 per 1,000 living; in Longton, 24·20 per 1,000. Among 210 males at 10 and upwards who died from those diseases in Stoke, 85, or 40·47 per cent were potters. Of 148 male potters, 46 or 31·08 per cent died from phthisis alone, and 85 or 57·43 per cent from that malady and lung disease together. On comparing the mortality of male potters at 15 and upwards, from diseases of the lungs and phthisis combined, with that prevailing in England at the same ages, it is as 57 to 32 per cent of the deaths that take place. Among 100,000 adult males living aged 20 and upwards, there die in Stoke from diseases of the chest 505, and from consumption 505, whilst in all England the proportions are for diseases of the chest 339, and for phthisis 373. Adult females die in Stoke in the ratio of 323 from lung diseases, and 411 from consumption. In England 259 die from lung diseases, and 349 from consumption. Of children under 10 years old 22·61 per cent perish from diseases of the lungs and consumption together. Of individuals above 10, 41·52 are cut off from the same causes. Eighty-three out of 100 potters die before completing their 60th year. The mean age of adult male potters was 46½; of adult men in all England 56 years. Among male potters themselves nearly 60 per cent die from diseases of the lungs."

MR. ASSHETON CROSS asked the hon. Member the date of the journal to which he referred?

DR. KENEALY replied, that all the statistics would be found in *The Journal of the Society of Arts* for February, 1876. That it was possible to remedy the existing state of things, and save the operatives from the suffering and dangers to which they were now exposed, was clear enough. It was to the honour of the French people, that they made greater advances than ourselves in many of the arts which prolong human life, or mitigate human suffering; and it afforded him no slight pleasure to read the following extract from the same periodical:—

> "In the course of the last few years, many improvements have been carried out in different factories where danger in previous times was imminent. At Amiens, M. Kuhlmann has devoted much attention to the process of fixing chemical vapours given off in various processes of chemical manufacture. He has invented a mill with wings by which vapours are carried into neutralizing solutions distributed in fine divisions almost like spray. In some aniline works in France the distinguished Chevalier has successfully exerted his ingenuity in constructing a special room for the manufacture of aniline, so arranged that exposure to the vapour is practically an impossibility, and is, indeed, placed out of the reach of the workman, be he even careless in the performance of his work."

Surely we ought not to be behind the French in these beneficent improvements. There was another evil in the Potteries for which the Bill of the right hon. Gentleman did not furnish any remedy—that was the enormous quantity of smoke with which the atmosphere was filled. Upon this, he ventured to cite the words of a gentleman of high authority—

> "There is," says Dr. Arlidge, "a constant belching forth of smoke into the atmosphere from scores of ovens in which the pottery is baking, from a multitude of slip-house chimneys, of chimneys of mines and iron works, and what is worse, from the blast furnaces of smelting iron; for the smoke from these last is loaded with poisonous gases, such as sulphurous acid, which tell the tale of their destructiveness on surrounding vegetation. Other sources of contamination are derived from the heaps of ironstone in process of calcining on the surface of the ground, and from the numerous flues of brick and tile ovens which emit a very dense, suffocating smoke."

The right hon. Gentleman could almost, by the insertion of a line or two in his Bill, check this nuisance; he might render compulsory, in a more stringent way than at present existed, the consumption of smoke on the premises by the various manufacturers. That would be better than leaving it to the local authority, which was always slow to move in matters of this kind. Such an obligation introduced into this Bill would render it still more valuable than it was; and would help much to produce the sanitary reform which the right hon. Gentleman had at heart. Then they would no longer have the pain of reading such a description as that which Dr. Richardson gave of the working class, and with which he would conclude. That gentleman said—

> "In plain, solemn fact, the whole of the industrial class of England, made up of 5,000,000 of living hearts, is sick at heart, is physically and therefore mentally unhealthy. It lives, as it were, in hospital, undergoing various treatment, but wanting the conditions, without which, if by some miracle it was for a moment cured, it could not continue to live in health of body and of mind."

MR. ASSHETON CROSS said, the reason he had asked the date of the publication to which the hon. Member referred, was to see whether it had been written since or previous to the legislation of 1874—as, under the last Factory Act, the powers of the Inspectors had been much enlarged, and steps had been taken and improvements effected, which had already had very beneficial effects in the prolongation of life. He would point out that the excessive mortality in the Potteries was partly due to scarlet fever, typhoid, scrofula, and other diseases arising from defective drainage. If anything further could be done by the insertion of other words in the clause, to make its operation more effective, of course he would be very glad to insert them; but he had understood from the Inspectors that the terms of the clause as they stood were amply sufficient. All he could do would be to consult them on the subject again, and see if any alteration was necessary. With regard to smoke-consuming furnaces, which the hon. Member had remarked upon, he would remind him that that was a subject which the Government had already taken in hand. A Royal Commission had been sitting on the subject of noxious vapours for two years. Their Report was shortly expected, and when it was received, it would receive the most serious consideration of Her Majesty's Government.

MR. C. CAMPBELL wished, in reply to the hon. Member for Stoke (Dr. Kenealy), who complained of the deficiency of the ventilation in workshops and factories, and the consequent mortality among the operatives, to say that the evil, if it existed, was in no way due to the manufacturers, but rather to the determination of the workpeople not to make use of the means of ventilation which were placed within their reach. It was they themselves who, in 19 cases out of 20, kept the rooms in which they were employed at such a temperature that it was almost impossible to live in them. Provision was now made, he might add, that they should not take their meals in the workshops, and that they might be able to wash their faces and hands before sitting down to them—a supply of soap and water was at hand, at least, in his factories. Accidents, too, would not happen nearly so frequently if the work-people were only a little more thoughtful. As to volumes of smoke issuing from the furnaces, that was due to the neglect of the local authorities, whose duty it was to attend to such matters, rather than to any fault on the part of the employers. But although he believed it to be possible to reduce the quantity of smoke, it could not be done away with altogether in the process of manufactures which necessitated the burning of coal on a large scale. The clause as it stood went, he thought, very much to the root of the whole matter; and he felt quite satisfied that it was more to the interest of the masters than of the men—leaving the humanitarian argument altogether out of the question—that the workshops should be well ventilated and the health of the work-people as good as possible.

Clause *agreed to.*

Clause 4 (Notice by inspector to sanitary authority of sanitary defects in factory or workshop) *agreed to.*

(2.) *Safety.*

Clause 5 (Fencing of certain machinery).

MR. LEWIS STARKEY moved, in page 2, line 22, after "fenced," to insert—

> "save where such steam-engine and fly-wheel, or either of them, are or is contained in a house or room solely appropriated and used for them or its reception."

The clause, as it stood, he contended, was unnecessarily stringent, inasmuch as it required every part of a steam engine to be fenced whether dangerous or not, and would impose a very large tax on manufacturers without securing any corresponding immunity from accident to the work-people.

MR. MUNDELLA objected to the Amendment, observing that he had never seen a fly-wheel which was not fenced.

Mr. ASSHETON CROSS said, the Amendment was quite impracticable.

MR. WHITWELL thought it would be better to leave the clause as it stood.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 6 (Fencing of other dangerous machinery, of which notice is given by inspector).

MR. PARNELL moved the omission of the word "fourteen" in order to substitute for it the word "seven." He was of opinion that in a matter of so much importance, seven days were ample time to allow the occupier to ask to have the question referred to arbitration.

MR. CHARLES LEWIS pointed out the necessity which existed for providing that when a matter of the kind was referred to arbitration, it should be decided as speedily as possible. It had occurred to himself to have been appointed an arbitrator some four or five months ago, and not a single step had been taken since then to decide the question at issue in consequence of his co-arbitrator, who was an eminent engineer, not having time to attend to the business. It would be seen, therefore, that it would be in the power of the owner of a factory to delay arbitration for an indefinite period by appointing some person similarly situated.

MR. ASSHETON CROSS, having expressed his readiness to assent to the substitution of the word "seven" for "fourteen" said, he had no objection to introduce some words into the Bill which would obviate the objection which was raised by the hon. Member who spoke last (Mr. Charles Lewis).

MR. CHARLES LEWIS said, it might be met by providing that unless the arbitration were proceeded with within a certain time, any one of the arbitrators appointed might deal with the case on his own responsibility.

Amendment *agreed to;* word *substituted.*

Clause, as amended, *agreed to.*

Clause 7 (Fencing of dangerous vats or structures, of which notice is given by inspector) *agreed to.*

Clause 8 (Fixing of grindstones securely and replacing of faulty grindstones when notice is given by inspector) *agreed to.*

Clause 9 (Restriction on cleaning of machinery while in motion, or working between parts of self-acting machinery) *agreed to.*

(3.) *Employment and Meals.*

Clause 10 (Children, young persons, and women, to be employed only during period of employment).

MR. PARNELL moved the omission, in page 5, line 1, of the word "woman" in order to substitute for it the words "married woman or woman under the age of 21 years." The clause, as it stood, he said, was one of a series whose object was to place women, children, and young persons in an exceptional position as to the hours during which they should be employed, as compared with the rest of the factory operatives. That seemed to him to be a very proper provision so far as children and young persons were concerned, and also married women, who, he thought, ought to be afforded an opportunity of attending to their household duties. The clause, as it stood, would, however, in his opinion, interfere unwarrantably with the rights of unmarried women over the age of 21 as members of the community, who were able to judge for themselves as to whether they should work during certain hours or not. He could not see, therefore, any good reason why they should not be allowed to make their own bargain with their employors.

MR. FIELDEN expressed a hope that the Home Secretary would not agree to the Amendment, which would entirely reverse the policy of our legislation for many years past. Women over the age of 21 were very frequently no better able to make their own bargains than children or young persons, and protection ought to be secured, as it now was, to them by the law.

Mr. MACDONALD also spoke in opposition to the Amendment, contending that it would be a retrograde step, was in reality going back for the legislation of the last 40 years, and would lead to the infliction on women of considerable cruelty in many instances.

The O'CONOR DON said, he thought the present was not an opportune moment for raising the question contained in the proposal before the Committee. It would be very dangerous to enact any special and particular legislation for unmarried as compared with married women. To do so would be to give a privilege to unmarried women, and that would be taking a step in the direction of inducing working men and women employed in factories and workshops to live together as man and wife without having gone through the ceremony of marriage.

Mr. ASSHETON CROSS said, that, in order to shorten discussion, he must say that he could be no party to altering the settlement which was arrived at with regard to this branch of the question in 1874.

Mr. W. HOLMS said, he agreed in the main with what had fallen from the hon. Member for Roscommon (the O'Conor Don); but he also sympathized with the views expressed by the hon. Member for Meath (Mr. Parnell). They were not now proposing for the first time to legislate for working women. There were as many women employed in textile factories as in non-textile factories, and these women were legislated for in the Act of 1874. Having proceeded thus far, he could not see how Parliament could now, with any show of consistency, abstain from making regulations for women employed in non-textile trades. Print works, bleaching and dyeing works, were very similar to works in which textile manufactures were carried on, and, having dealt with the one class, he failed to see how Parliament could refuse to deal with the other.

Mr. SHAW LEFEVRE hoped the Amendment would not be pressed at the present stage in the progress of the Bill. The Amendment would go a great deal further than they were called upon to go under present circumstances. He did not think any broad distinction could be made between married and unmarried women; but he thought that in a later clause some alteration, which, though slight, would, he thought, prove satisfactory, could be made.

Mr. LEWIS STARKEY agreed in the desirability of postponing this particular branch of the question until the later clause was reached.

Mr. ANDERSON thought some legislation was necessary alike in the interest of the health and morality of women employed in factories and workshops.

Mr. WHITWELL hoped the Home Secretary would remain firm in reference to this matter. There could be no doubt that women required more protection than men in reference to their hours of labour. They were more easily influenced than men through their feelings of affection and sympathy, and care should be taken that they should not be influenced into the attempting more severe work than they were at present engaged in.

Mr. M'LAREN thought unmarried women were as able to take care of themselves as married women were, and could therefore see no reason for drawing a distinction between them. Among the working classes women were not only able to take care of themselves, but, in many cases, they had to take care of their husbands also. They were the stewards of the husbands' wages—or, at any rate, of as much of them as they did not themselves spend in the public-house—and, therefore, to regard the woman as a weaker vessel and a being requiring more protection than her husband, was altogether wrong in principle.

Colonel MURE said, that this question of the employment of women involved and revived a great principle which was thoroughly thrashed out in 1874, and he could not think it would be wise on the present occasion to enter upon a full discussion of the question. He, nevertheless, sympathized with what had been said about the freedom of women.

Mr. PARNELL said, he recognized the fact that this was not the clause on which to raise the question before the Committee; but he could not admit that it was logical to say that Parliament ought not to place unmarried women in an exceptional class as compared with married women. The entire law had always made a distinction between the two classes of women, and if the hon.

Member for Roscommon (the O'Conor Don) thought the law was faulty, his only logical course was to endeavour to bring about a repeal. He (Mr. Parnell) should have preferred to raise the discussion on a question as to whether, in the first place, all women of full age ought not to be put under restrictions; and, in the second place, whether the time had not come at which women, as a body, should be placed in some sort of independent position. He could not admit the suggestion of the hon. and gallant Member for Renfrewshire (Colonel Mure) that, because the question was "thrashed out" in 1874, it should not be re-discussed in 1878. He would, however, withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 11 (Period of employment, time for meals, and length of continuous employment for young persons and women in a textile factory).

MR. PARNELL said, his Amendment would have come in well at this point, as the clause dealt with textile manufactures; but as the form of his Amendment was objected to, and he had not another ready, he would simply ask the Home Secretary whether he would not consider the subject between the present time and the Report, with a view to putting women in a somewhat better position than they occupied at present?

MR. ASSHETON CROSS said; that, having considered the question for some years, and having carried through the House the Bill of 1874, he should be doing wrong if he held out any hope of alteration in the sense suggested by the hon. Member. The present Bill, as far as it related to the particular question under consideration, was based on the lines of the Bill of 1874, and he saw no sufficient reason to depart from those lines.

MR. M'LAREN said, one section of the clause ran as follows:—

> "(3) A young person or woman shall not be employed continuously for more than four hours and a-half without any interval of at least half-an-hour for a meal."

He moved, as an Amendment, to leave out the words "or woman." This Amendment would not disturb any other part of the Bill, and would, at the same time, apply a test to what had, not inaptly, been described as grandmotherly legislation.

MR. ASSHETON CROSS said, he had no doubt that the hon. Member for Edinburgh moved his Amendment from very philanthropic motives; but he must know that all the *employés* in a factory must take their meals at the same time, or the work could not proceed, by reason of the fact that all the workers must be attending to their respective departments at the same moment. Taking all the circumstances into consideration, it had been thought that four-and-a-half hours did not constitute too long a stretch for each spell of work to be completed by women and young persons.

THE O'CONOR DON said, that the Royal Commission, of which he was a Member, found very little complaint in reference to the four-and-a-half hours' rule, in essentially textile districts; but there were objections raised in some other parts of the country, particularly in Coventry and other districts, where the ribbon trade was carried on. He would suggest that the Home Secretary should make some exception in the case of some peculiar textile manufactures.

MR. M'LAREN pointed out that nothing was said in the clause about men. There were no factories of any kind in which men were not employed; but there were many in which women and children were not employed, and, therefore, exceptional legislation was defended in certain cases. The clause would allow men and boys to work as many hours as they chose without taking meals, and the protection only came in for women and young persons. If the clause laid it down that no person should be employed for more than four-and-a-half hours, the arguments in its favour would hold good; but he objected to it on the ground that women and young persons only should not work without food for a longer period than four-and-a-half hours.

COLONEL MURE pointed out that, if the debate was to go on in its present form, the question would be raised over and over again whenever the word "woman" appeared in a clause. The point was one upon which the only serious debate arose in the progress of the Bill in 1874, and it was then thoroughly settled. He would, therefore, suggest that a division should be at once taken upon the question, and that such division should be regarded as final, as far as the present Bill was concerned.

Lord FREDERICK CAVENDISH said, there could be no doubt that the four-and-a-half hours' spell perfectly suited the textile manufactures; but, on the other hand, there was very strong evidence to show that it did not suit many other trades. Furthermore, it was a dangerous experiment to make a sudden change in the habits of a large number of persons employed in a particular calling.

Mr. ASSHETON CROSS said, he should be quite willing to discuss the question when the Amendment of the hon. and learned Baronet the Member for Coventry (Sir Henry Jackson) was before the Committee; but as far as purely textile manufactures were concerned, he could accept no proposal which would have the effect of changing the system fixed by the Act of 1874.

Mr. HOPWOOD thought the fact of the Act of 1874 having been passed ought not to interfere with the right of Parliament to re-open and re-discuss any provisions contained in that measure which bore upon the present Bill. He could not see why protection proposed to be accorded to children should be forced upon adult women. He should use every effort to relieve women from being placed under the false protection of a piece of what had been described as grandmotherly legislation.

Mr. SHAW LEFEVRE agreed in principle with the hon. Member for Edinburgh (Mr. M'Laren), but thought that if the opinion of the Committee was to be challenged, it would be well to take a division at once. It must not be forgotten that the present measure was, to a great extent, a Consolidation Bill.

Mr. M'LAREN said, he saw great force in much that had been said, and should, in consequence, ask leave to withdraw his Amendment for the present. It could be resumed on Clause 13, to which the hon. Member for Birmingham (Mr. Muntz) would move an Amendment, and a division could then be taken.

Mr. R. SMYTH said, the Government proposal was something more than a mere Consolidation Bill, in that it contained provisions relating to certain trades carried on in the North of Ireland, which had not been dealt with before. The Bill might occasion great inconvenience in connection with the flax manufactures, and he hoped the Home Secretary would seriously consider the question in connection with the proposal of the hon. and learned Baronet the Member for Coventry (Sir Henry Jackson).

Amendment, by leave, *withdrawn.*

Mr. W. HOLMS moved, in page 5, line 38, to leave out "four hours and a-half" and insert "five hours." He said, the four-and-a-half hours' rule, by making a distinction between textile and non-textile factories was inconvenient, particularly in places where there were industries of a mixed character. From his own experience as a mill-owner, he believed the four-and-a-half hours' regulation would be found to give considerable trouble; and, therefore, he wished to have five hours inserted instead of four-and-a-half hours, which would give uniformity in all factories, whether textile or non-textile.

Amendment proposed, in page 5, line 38, to leave out the words "four hours and a-half" in order to insert the words "five hours."—(*Mr. William Holms.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. ORR-EWING said, he thought his hon. Friend who had moved the Amendment would have been aware that there were no textile manufactures where the five hours' practice was in force. It was, he believed, the universal rule to work three or four hours, and that was found to be amply sufficient—namely, from 6 to 9, from 10 to 2, and from 3 to 6. He contended, from his own knowledge of the matter, that it was quite unnecessary to make the people in any textile factory work for more than four hours, or at the outside four-and-a-half. He hoped his right hon. Friend the Home Secretary would not accept the Amendment, as it would entail a great hardship upon many trades, such as dyers, bleachers, printers, and those engaged in similar branches of manufacture.

Mr. ASSHETON CROSS replied, that he had already stated, as far as the textile factories were concerned, that there was not the slightest desire among the workmen in any form or shape to change the present system; but when they came to deal with certain particular trades, that was another matter, as there were special circumstances connected with them. With regard to the winter months, for instance, special regulations might be made. The only argument, therefore, which the hon. Member brought forward to support his Amendment was that there should be absolute uniformity. But that was a ground which could not be taken up, for if they were to legislate on the principle of absolute uniformity, certain classes would obtain protection who did not require it, while they would be releasing women and young persons in other trades from that protection which was absolutely necessary for them.

MR. W. HOLMS said, it should be optional for the employer to make a five hours, instead of a four-and-a-half hours spell of work between meals. He could give many cases where such an arrangement would be very convenient. It would be very convenient, for instance, in many mills in his own neighbourhood if, while working short time, the five hours' arrangement could be put into operation. Then work could begin at 9 o'clock, and go on until 2 o'clock, which was the usual dinner hour. He did not lay much stress on the matter of uniformity, and only referred to it because it appeared to him desirable that there should not be two arrangements of hours in works of a similar character. He could not conceive that there would be the slightest possible hardship to the work-people if the Amendment were adopted.

THE O'CONOR DON pointed out that the Amendment would, of course, apply to young persons as well as to women. He did not believe it would be desirable in the regular textile trades to have young persons working the machines which were used for five hours continuously. He believed it would be found very injurious to them. While they were at work they could not for a moment relax; they must keep their minds and bodies at work during the whole time. That was very different from many kinds of employment which were carried on mechanically, and thus gave opportunities for resting.

MR. PARNELL said, it seemed to him that if there was really any reason for limiting the hours to four-and-a-half between meals, that was a reason which should be applied to all trades. He admitted that perhaps it might be right for persons not to have more than four-and-a-half hours' work between their meals; but the hon. Member opposite (Mr. Orr-Ewing) said that, as a matter of fact, in the district with which he was acquainted, the men did not work longer hours.

MR. ORR-EWING said, he referred to spinners and weavers.

MR. PARNELL asked if they were going to have one meal time for one set of workers, and another meal time for another set? It appeared to him that there must be a considerable amount of inconvenience in having different meal hours for different sets of workers in the same factory.

MR. ORR-EWING said, he understood all workers at the same factory stopped at the same time.

MR. W. HOLMS said, that in some of the non-textile factories, where the work was very arduous, it was surely as desirable that there should be a short interval between meals as in a textile factory.

MR. MUNDELLA said, during the passing of the Act of 1874, he argued against the four-and-a-half hours' limit. He quite agreed with the hon. Member for Roscommon (the O'Conor Don) that in some of the factories there was a strain on the young children who worked at machinery persistently, which required the closest attention of eye, of hand, and of energy; but he did think that there would be found a number of factories—a large proportion of industries—where some distinction should be made, and all that went to show that they could not have absolute uniformity.

Question put.

The Committee *divided*:—Ayes 111; Noes 20: Majority 91.—(Div. List, No. 24.)

Clause 12 *agreed to.*

Clause 13 (Period of employment, time for meals, and length of continuous employment for young persons and women in non-textile factory, and for young persons in workshop).

MR. MUNTZ moved, in page 6, line 33, to leave out "women." He confessed that this Amendment opened a wide field for discussion; but, while he maintained that every adult man and woman had a right to work as long as they liked, he was not inclined to disturb the existing law regarding textile manufactories. In small factories and workshops the conditions of labour were, however, so varied, that it was impossible to adopt any fixed principle; and for that reason, he thought it much better that women should be allowed to decide for themselves how long they should work, and what kind of work they should undertake. Parliament might very justly regulate the work of children, and might with great advantage lay down sanitary laws applying to workshops and factories; but he denied its right to restrict the labour of any adult. The clause, as it stood, would work most unjustly, and would cause the greatest inconvenience in many trades. Although he did not understand the textile manufactures, he was well acquainted with the trades of the town he represented, and also that of the surrounding towns; and he could assure hon. Members that in these places there would be the greatest possible difficulty in applying the clause under discussion. Certainly, the exemptions specified in Clause 59 were carefully drawn, for it was stated therein that the restriction should not apply to a private house, room, or place which, though used as a dwelling, was, by reason of the work carried on there, a factory or workshop within the meaning of the Act, and in which neither steam, water, nor other mechanical power was used, and in which the persons employed were members of the same family or dwelling there. Now, it frequently happened that the steam power supplied by a single factory passed through two or three houses; but the fact of steam power being used would invalidate the exemptions under Clause 59, although no danger accrued to the women and children working under such conditions. He knew a case where a single manufactory supplied steam-power to 15 or 20 houses in which the inmates did the work on their own premises, merely utilizing the power so supplied to them. Frequently working men who had saved a few hundred pounds set up these little factories, in conjunction with their wives, and became most respectable citizens—sometimes, indeed, amassing small fortunes. Well, the wife had her domestic duties to attend to, and it was not until the evening, on the return of her husband, that the couple were enabled to eke out their income by private industry. If the Inspector was allowed to place an embargo upon such houses it would put an end to half of the manufactures, and for that reason he was obliged, on behalf of his fellow-citizens, to oppose the proposed restriction, and to claim a total immunity for women. There were already complaints as to the working of the Workshops Act. Then, the restriction would operate most inconveniently as regarded laundries, and this inconvenience would be felt nowhere more than in London. Take the case of a gentleman living at an hotel, who was compelled to depart on Monday morning, and who expected his clothes to be delivered on Saturday evening. If the women employed in the large laundries were obliged to leave work at two o'clock on Saturday it might become impossible to comply with exigencies of that kind. He trusted that the Home Secretary would see his way to meet the difficulties he had pointed out.

Mr. MACDONALD hoped that the Home Secretary would not yield to the suggestions of the hon. Member for Birmingham. The hon. Member had said that there were great complaints respecting the Workshops Act. Having travelled over many districts in the country, he (Mr. Macdonald) had never heard a complaint as to the working of that Act from a single man or woman. Would the hon. Member inform the House how many Petitions had been presented against the Act as it affected women? Until there was some such demonstration of dissatisfaction he would be unwilling to recognize that these were the views of the working people affected, and he was rather inclined to believe that the hon. Member was the spokesman of manufacturers and others, who troubled themselves much on this subject, and who were interested in female labour.

Mr. ASSHETON CROSS said, that the labour of women had been regulated for many years, and he was not aware that there had been any complaints as to the manner in which the Act had been administered, or of any hardships inflicted by it. He himself endorsed the statement of the Commissioners that the

Workshops Act had done a great deal of good, although, doubtless, much inconvenience might have been caused at first by its strict application. Much of that inconvenience had now been remedied, and he believed that all parties were becoming more and more reconciled to the Act. In the words of the Commissioners, he might add—

> "The absence of all complaints of the manner in which the Inspectors have exercised the power thus entrusted to them proves that it is one which may be safely left in their hands."

He thanked the hon. Member for Birmingham (Mr. Muntz) for his approval of the drafting of the Bill, for the excellence of which he was chiefly indebted to the draftsman, who had given him valuable assistance. So far as domestic workshops were concerned the Bill did not affect female labour; and in no case, so far as females were concerned, had they sought to extend the existing law. After a good deal of discussion, to which the opinions of well-informed persons were contributed, the Government had deemed it advisable to put on the Amendment Paper a relaxation so far as concerned domestic workshops. Difficulties might arise in giving effect to the exemptions in several trades. Take the case of straw-plaiting, pillow-lace weaving, and other light trades. Supposing the real business was, say, lace weaving—if they exempted it from the operation of the Bill, people might take advantage of the exemption to evade the Act, and the old workshops which they desired to check would be revived. But in the case of a domestic workshop, where the main business of the females was something else, and at odd hours they made certain things, there could be no such necessity for interfering, and no danger of the house being turned into a regular workshop, and therefore such cases might be omitted from the Bill. He thought, moreover, that with regard to such light trades as straw-plaiting, which children acquired at a very early age, and practised chiefly for recreation, the law might be allowed to continue as at present. But there was a distinction to be drawn where the parent required the child as a feeder; in that case, the position of the child was somewhat analogous to that of a steam-engine, and it might be worked beyond its strength. Where there was no danger of such a result the law might remain unchanged. He had no doubt that the difficulty in respect to laundries could easily be obviated. He hoped that the Committee would not go back from the principle which Parliament had laid down in its legislation now for many years, and which had worked so well for the protection of women and young persons.

MR. HOPWOOD was of opinion that, respecting female labour, some trades had been introduced into the Bill for the first time. He maintained that the absence of Petitions could not be taken as an indication of satisfaction with the law, as the operatives affected by it waited quiescently for its amendment by the House. At the proper time he should be prepared to discuss the question of domestic factories with some vigour, as he thought the change proposed in the Bill was a monstrous one.

MR. MUNDELLA said, it was not proposed to disturb existing legislation, as this was merely a Consolidation Bill. He had letters from many persons interested in the Bill, stating that they were prepared, if necessary, to petition in its favour. If anyone had proposed to reverse the existing legislation affecting women, every woman in Lancashire would have petitioned against such a change.

MR. FAWCETT said, that when the Factory Bill was before the House in 1874, he distinctly raised the issue that it was unjust and inexpedient to interfere with the labour of women, and he obtained Petitions from thousands of women in support of the principle he was advocating. Again and again, under the pretext of Consolidation Bills, new regulations had been introduced. They proposed to interfere with the home of every Englishman and Englishwoman; because the Bill, as it stood, would give the Inspector the right to knock at his door to ascertain whether his wife and children were at work after 9 o'clock at night. Under the cloak of a Consolidation Bill a monstrous interference with individual liberty was proposed to be sanctioned. The clause embraced all work done for the purpose of earning money; the wife might be doing some needlework to sell at a bazaar, but the Inspector would be empowered to say that such work could not be continued after 9 o'clock. The question raised by the hon. Member for Birmingham (Mr. Muntz) involved an important principle. That a bad principle had been sanctionod 30 years ago was no conclusive reason why, after the social, educational, and moral progress of the country since then, they should go on re-enacting that principle in successive Acts of Parliament. What right had Parliament to interfere with the lahour of adult women any more than with the labour of adult men? There were hundreds of thousands of women in this country who had to earn their bread by daily toil, and Parliament had no right to place an impediment in the way of these women earning an honest livelihood. The only reason which would justify an interference with the labour of adult women was that women were tyrannized over and treated despotically and cruelly by the working men who happened to be their husbands, brothers, or fathers; but such a reason cast so grave a slur on the working men of this country, that he was astonished that those who called themselves the working man's friends should advance it. He, for one, was not prepared to admit such a charge unless it could be distinctly proved, and he maintained that if women were not under the harsh, despotic, and cruel control of the men with whom they were connected, there was no reason whatever for such an interference with their labour as was proposed by the Bill. The case of children was, of course, a different one. They were not adults, and he was quite willing to claim the fullest security that they should be properly educated, and that their health should not be sacrificed; but the same reasons did not apply in the case of adult women, and he repeated that there was no more justification for interfering with their labour than there was for interfering with the labour of men. Such interference, if insisted on in these critical industrial times, was calculated to produce great mischief; for no one could doubt that, indirectly, an interference with the labour of adult women would place a limit in tens of thousands of cases upon the length of a day's work for men, and surely it would be most inexpedient to arrive at such a result as that. It would be far better for the Legislature to leave such questions to be settled between the employers and employed themselves, and not to insist on too much intermeddling. If his hon. Friend divided the Committee on this question, he (Mr. Fawcett) should certainly support him.

Mr. HIBBERT, while agreeing with much that had been said by the hon. Member for Hackney (Mr. Fawcett), did not think this a proper occasion for pressing the Amendment. The best way of dealing with the question would be to raise it when they came to the Schedules.

The O'CONOR DON also concurred in the views advanced by the hon. Member for Hackney (Mr. Fawcett), and believed that the Legislature ought not to interfere any more than it could help with the labour of adult women. At the same time, he did not think the question should be raised in the manner proposed by the hon. Member for Birmingham (Mr. Muntz); for, unless Parliament were prepared to reverse the whole of its legislation on the subject, it was hardly likely that the Amendment would be adopted. He (the O'Conor Don) had himself an Amendment to propose, which he thought would meet with the approval of the hon. Member for Hackney; but, at the same time, he thought it only right to point out that the proposed legislation of the Bill, with regard to domestic employment, was not, in reality, new. So far as that point was concerned, the Bill was only a Consolidating Bill. No doubt, it was an objectionable feature; but still there were certain Amendments, of which the Home Secretary had given Notice, which would, to some extent, remedy it.

Mr. MUNTZ explained that when he proposed his Amendment, he was unaware of the important and extensive Amendments to be proposed by the Home Secretary, with regard to private dwellings; which, though the principle of this part of the Bill was bad, undoubtedly removed the sting from it. Under those circumstances, he would not put the Committee to the trouble of dividing. At the same time, he might say that he had found a very strong feeling existing among the trade councils of his own town—Birmingham—that workmen's houses should not be interfered with by the Inspectors, unless the houses of the gentry were interfered with also.

Amendment, by leave, *withdrawn.*

Mr. W. HOLMS moved, in page 6, line 34, to leave out "and of young persons in a" and insert "or." The object of the Amendment was to place women who were employed in workshops in the same category as women employed in non-textile factories. If a uniform rule were not adopted for the two cases, the result would be that women employed in almost precisely the same occupations, would be placed under very different laws. It was very difficult to define what was a factory and what was a workshop. In the Act of 1867, one of the definitions was that a place employing less than 50 people was a workshop; and a place employing more than 50 people was a factory; so that this curious anomaly arose—that a brickyard employing 49 people was a workshop, and one employing 51 people was a factory. The Home Secretary had provided another definition—that a place where steam or other mechanical power was used should be considered a factory; but that, he thought, was not a satisfactory distinction, as it would embrace a good many places that ought not to be included. It would be very difficult to draw the line between a workshop and a non-textile factory in a large variety of trades, such as tailoring, millinery, shoemaking, and other industries connected with the manufacture of clothing, in which women were employed. Under the Home Secretary's definition, a large millinery establishment, employing a number of women who worked sewing machines by their own physical power, would be a workshop; but the moment a steam-engine or other mechanical power was introduced to work—say, half-a-dozen out of perhaps a hundred machines, the place became a factory, notwithstanding that the introduction of steam-power for the hardest work made the labour easier instead of more difficult for the women. Non-textile factories were brought under the regulations of this Bill; but workshops practically escaped from many of them, as, under Clause 59, they were exempt from inspection in regard to cleanliness, over-crowding, ventilation, the affixing of notices as to the hours for meals, the length of time for employment, and so on. The only way in which women employed in workshops were dealt with was by fixing the period of employment at 12 hours—any time between 6 in the morning and 9 at night—and obliging the employer to give four-and-a-half hours for relaxation, absence from work, or meals. By such provisions the evils of the old system would be perpetuated, for the Inspector would find it utterly impossible to ascertain whether the women were working more or less than the prescribed time. It would be impossible for him to tell whether there had been four-and-a-half hours of relaxation—he could only tell whether work had been commenced before 6 or carried on after 9—and thus it would still continue, as it always had been, utterly impossible to enforce the regulations for the hours of employment in workshops. Then, if the Committee passed the clause as it stood at present, they would be giving a premium to hand-labour over machinery, by providing that where there was no mechanical power the regulations should be comparatively loose; but where propelling machinery of any kind was introduced, the place should be under all the stringent regulations of a non-textile factory. That would be a distinct discouragement to the introduction of machinery. The employment of children and young persons would also be discouraged by the clause; for a place where women worked, but where no child or young person was employed, would be deemed a workshop, but if one child or young person was introduced, the place would at once become a non-textile factory under all the stringent regulations of the Bill with reference to inspection, cleanliness, over-crowding, ventilation, &c. About half the workshops in London employed young persons and children, but a distinct inducement would be held out to employers by this clause to exclude them for the future.

Mr. ASSHETON CROSS said, the effect of the Amendment would be to place further restrictions on the employment of women; and, therefore, on that ground, if on no other, he must oppose it, for wherever he possibly could give relaxation to the regulations under which working women came he should do so. But the hon. Member (Mr. Holms) was in error as to the effect of the clause. Where women were working without children or protected persons in a workshop, they would not come under the 59th clause of the Bill, which only applied to domestic workshops or work at home. Where there were no protected persons there was no reason for interference; but where women were employed in a workshop along with protected persons, of course, all the regulations must apply.

The O'CONOR DON said, he had placed an almost similar Amendment on the Paper; but his object was exactly the opposite of that of his hon. Friend (Mr. Holms), as he had no desire to place new restrictions upon the labour of women. The effect of the Amendment now before the Committee would be to do away with the liberty given by the clause in workshops, and to compel women to work within a given limit of 12 hours—from 6 to 6, from 7 to 7, or from 8 to 8, whether working in a factory or workshop. Women themselves would strongly object to the restriction proposed by the hon. Member, and distinct evidence to that effect was given before the Commissioners. Women often liked to have an extra amount of leisure in the middle of the day, and frequently worked at piece-work—being paid not by time but by the quantity of labour performed, in order to have more freedom in the matter of time. A married woman especially often found it convenient to go to work at one hour on one day and at another on another. Under these circumstances, he could not support the Amendment now before the Committee; but he had an Amendment of his own to propose in order to cure another restriction upon the labour of adult women which had been imposed by the Home Secretary. The right hon. Gentleman, in the next clause but one, had done away with the adult woman's privilege of working at the hours she found most convenient if it happened that a young person was working with her, so that if a married women was employed with her daughter of 15, 16, or 17 years old, that employment of the daughter would subject the mother to restrictions to which she was not subject at present. He (the O'Conor Don) thought that Parliament ought not to go beyond the present restrictions, especially as the Bill before the Committee was in the main only a consolidating measure; and, therefore, when the clause to which he referred was arrived at, he should move an Amendment, the object of which would be to leave young persons and women working in workshops the same freedom they now possessed. In order to carry out this Amendment, it was necessary to omit all reference to young persons in the present clause, and to confine it exclusively to the regulations of non-textile factories. Experience had shown that no injurious result had arisen from the liberty which now existed in this respect, and as the Home Secretary had stated that he did not wish to place any new restriction on the labour of women, he hoped the right hon. Gentleman would be willing to accept his Amendment.

Lord FREDERICK CAVENDISH objected to the new distinction made by the Bill between factories and workshops; the definition which it was now proposed to give to a factory being a place where steam or other mechanical propelling power was used. It might or it might not be advisable to make the change proposed; but, at all events, this new distinction was a very important one, and the Committee ought to weigh well all the consequences which would flow from it before they finally adopted it. The distinction was not, perhaps, so very important as the Bill stood; but if the Amendment which the hon. Member for Roscommon (the O'Conor Don) intended to move were accepted by the Government, that distinction would become very important indeed. A place where only human physical power was used would be a workshop, but the moment steam or other physical power was used it would become a factory. Such an arrangement seemed to place human physical power—the highest and most intelligent of all—at a disadvantage.

Mr. ASSHETON CROSS: Of course, I am only bound to treat the Bill as it stands. I am not bound to suggest anything else.

Mr. KNOWLES said, there were many trades that were not worked on the system pursued in workshops, but were almost domestic trades. The hon. Member for Roscommon (the O'Conor Don) would lay down no specific time at which persons should work. He contended that they would have no less work done by limiting the time, as it would conduce to greater regularity. There could be no doubt that this might be convenient for some people employed in certain trades that were not worked by steam-power or by water, but were worked just as convenient to the workers themselves. If this was the case, how were Inspectors or school boards to know when they were at work? The clause as it now stood met all the requirements of the Commissioners, and he should certainly vote for it in its present form.

Mr. W. HOLMS admitted that it was perfectly true that the object of the Amendment was to extend the restrictions to women; but if they could strike out women altogether he should be pleased. They had legislated for women as regarded textile factories; to be consistent, let them legislate for them as regarded both non-textile factories and workshops. It appeared to him rather a serious matter that they should say to an employer who employed a large number of women, that when their sewing-machines were driven by steam-power they should be placed under more severe restrictions than when worked by physical application. Therefore, he trusted the right hon. Gentleman would see his way to accept this Amendment.

The O'CONOR DON wished to say one word on what fell from the noble Lord (Lord Frederick Cavendish) as to the comparative hardship that would devolve upon women where steam-power was employed. Let them consider what was the actual restriction involved in this clause. It was that the work should be carried on between certain fixed hours, either between 6 and 6, 7 and 7, or 8 and 8. Would the noble Lord maintain for a moment that whenever steam and mechanical power was employed, anyone could avoid working in that way? Any owner, where there was steam-power, must fix the hours at which his machinery was to be in motion. He could not have the work of two or three women in one part of the day, and two or three women in another. The owner of a mill with steam-power must have fixed hours. Therefore, he maintained it could be no hardship to put into their Bill what these hours were. But when they came to shops, where no machinery was used, and where the hours depended on the will of the worker and not on the will of the employer, the case was wholly different, and he thought it but fair that the hours in such cases should be regulated on a more elastic principle.

Mr. PARNELL observed that the charge of inconsistency brought against the body of Members who sat near him early in the evening could be retorted with good effect. The hon. Member for Paisley (Mr. W. Holms) simply desired that women should not be compelled to work, and the right hon. Gentleman the Home Secretary appeared to wish that women, when they could not be compelled to work, should not have the protection of this Bill. It was proposed that women employed in that metropolis might be compelled to work 15 hours a-day. ["No, no!"] The clause provided from 6 in the morning till 9 in the evening—that was 15 hours. In the definitions at the end of the Bill a workshop was defined as a place where no steam-power was employed. The consequence was that there might be work done now by a woman, such as making boots and shoes and driving a sewing-machine, where the period of employment might be 15 hours a-day. ["No, no!"] He knew there were hours for meals. For instance, if they took the working of the sewing-machine for making boots and shoes, that was undoubtedly very heavy work. Yet a woman might have to do that work, and not having the assistance of steam-power, would be deprived of the help the right hon. Gentleman gave to the women who had the benefit of steam. He, therefore, thought the Amendment of the hon. Member for Paisley was very important. The mere fact that four hours were given as meal hours in one day made very little difference.

Mr. HIBBERT hoped the right hon. Gentleman would not consent to the Amendment. It was objectionable, because it would place women in the position of young persons, and this had never been done up to the present time. He did not think it mattered what length of time women were allowed to be employed in these shops, because the women were adults, and were able to take care of themselves. Then, again, with respect to the distinction between a workshop and a factory, he thought there was very great distinction indeed between a place where steam-power was used and a place where steam-power was not used, and where persons might work just as they thought proper.

Amendment, by leave, *withdrawn.*

The O'CONOR DON said, he was afraid he would have to take the same course as his hon. Friend, and withdraw his Amendment. He must point out that the hon. Member for Meath (Mr. Parnell) was under an entire misapprehension as to Sub-section 2, Clause 15, because that, instead of being a restriction, was exactly the opposite; but under it no woman or young person would be employed more than 10½ hours. It was true that the 10½ hours' work might be put in within a limit of 15 hours—that was to say, the workers or employers might select the exact hours of work within that limit; and that was the principle he sought by his Amendment for all adult women working in workshops, whether they worked with young persons or not. If he could get support, he would move the Amendment of which he had given Notice. ["Move, move!"]

Amendment proposed, in page 6, line 34, to leave out the words "and of young persons in a workshop."—(*The O' Conor Don.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. FAWCETT remarked that they had gone through Bills of much less importance than this, and had spent nights over them, and he considered it essential that this clause should be discussed. He hoped the hon. Member would give the House an opportunity of expressing an opinion; because if they went on the principle that they were not to divide because they would not be able to carry their proposition, then they would not have to divide till Christmas. He was in 120 divisions last year, and so far as he knew he was seldom in a majority. This Amendment seemed to him to be a very important one. This Bill was going to extend its restrictions far and wide; because, as he understood it, if a woman employed two children even in her own house, that would be a workshop. There would be some hundreds and thousands of these workshops in this metropolis, and it was idle to say that all these small rooms could be conducted in strict accordance with rule. What was required was to give greater elasticity to the clause. The Amendment did not say that women should have more work or less; but what it did say was, that if they worked 10 hours, they should be allowed greater consideration as to the time they should work those hours. When they considered how multitudinous were the other labours which women might have to do, to look after her children, to interrupt her work to cook the dinner, or something of that kind, it was certainly desirable that they should give to persons coming under these Acts the greatest facility or liberty as to the period of the day they should be allowed to work.

Mr. MUNDELLA must say a word in reply to the hon. Member for Hackney (Mr. Fawcett). The Committee could hardly realize from the speech made by the hon. Member that he was more responsible for this Bill than anyone else. In 1867 he was most anxious for every point in this Bill. He was a Member of the Committee in 1867 on the Workshops Act. There was not then the slightest intimation that this clause was an invasion of the domestic liberties of Englishmen, and the clause was not noticed in any way except in the way of recommendation. Now, there had been an amount of domestic labour taken out which was put in by his hon. Friend (Mr. Fawcett). In the discussions in 1867 the hon. Member was in favour ot restrictions, and he must say it was too bad of him to appear in the form he did now, when he had over and over again thanked the Government in 1867 for having passed that Act. The Home Secretary must now stand by his Bill or fall by it. If he once let a single brick out of the walls, down would come the whole.

Mr. ASSHETON CROSS: I have not the slightest intention of taking out a brick.

Question put.

The Committee *divided*:—Ayes 186; Noes 42: Majority 144.—(Div. List, No. 25.)

Mr. W. HOLMS moved, in page 6, to leave out from "excepted," in line 37, to "in," line 40, and insert—

> "be a period not exceeding twelve hours, inclusive of meals hours, between six o'clock in the morning and eight o'clock."

Under the clause, as it now stood, the employer might name a period of employment commencing at 6 in the morning and ending at 6 in the evening, or one commencing at 7 in the morning and ending at 7 in the evening. According to his proposal, the employer might fix any consecutive 12 hours, including meal hours, between 6 in the morning and 8 in the evening. His reason for making the proposal was, that he found that, under the 3rd schedule of the Bill, a large number of trades were allowed to work from 8 o'clock in the morning until 8 o'clock in the evening; and that, according to figures published in the Report of the Royal Commission on Factories, nearly half of all the persons employed in non-textile factories and workshops were embraced in this schedule. He thought it would give greater elasticity to the system of employment in these places if they allowed the hours of working to be from 6 to 6, from 7 to 7, or from 8 to 8. What he proposed was that the employer should be allowed to fix any period, not exceeding 12 hours, he liked, between 6 in the morning and 8 in the evening, but he must strictly define the period he adopted.

MR. ASSHETON CROSS said, he hoped the Committee would let the clause stand as it was, as it was well adapted to meet all requirements. In his opinion, the Commission had come to a wise resolution on the subject.

Amendment, by leave, *withdrawn.*

MR. SHAW LEFEVRE said, he was anxious to propose a small Amendment of which he had not given Notice. He thought it would be a great convenience, in many instances, if *employés* were allowed to work from half-past 6 to half-past 6, or from half-past 7 to half-past 7, taking in the half-hour, and he found that the Commissioners had made such a recommendation. Some of his own constituents were of that opinion, and had represented to him the great inconvenience of their being compelled to begin half-an-hour sooner or half-an-hour later than they otherwise did.

MR. ASSHETON CROSS said, he should not like to accept the hon. Gentleman's Amendment without further consideration. He understood that there was practically no inconvenience in the arrangement which the clause provided. In most cases the day was taken to begin at 6, the first half-hour being allowed for breakfast, and the employed going back to work at half-past 6. That was done at many factories, as he understood.

Amendment, by leave, *withdrawn.*

MR. TENNANT, who had on the Paper an Amendment for substituting four-and-a-half hours for five hours, as the limit of duration of continuous labour without a break of half-an-hour for meals, said, it was not his intention to press it, as he meant to meet his object by proposing to give the Home Secretary some discretionary power in the matter.

Clause *agreed to.*

Clause 14 (Period of employment for children either in morning or afternoon sets, or on alternate days, and length of continuous employment in non-textile factory and workshop).

MR. TENNANT moved, in page 7, sub-section 3, line 25, to leave out " one o'clock," and insert "half-past twelve." He thought it would be a better arrangement, and he did not anticipate for his proposal any objection in any quarter.

MR. ASSHETON CROSS said, he understood that in some cases on Saturdays, though the persons employed had their dinner hours at 12, they came back to work at a quarter before 1. He did not see any particular objection to the Amendment; but he would suggest to the hon. Member that the Amendment should run " or at any hour later than half-past 12."

MR. TENNANT said, he had no objection to the alteration.

Amendment, so amended, *agreed to.*

MR. P. A. TAYLOR said, he wished to move an Amendment in sub-section 4, with regard to children working alternately morning and evening. Such an arrangement, he believed, would work most inconveniently, and he had received some strong representations on the subject from the Trades Council of Leicester. He was informed that at Leicester, not only the regular workers would be affected by the arrangement, but the errand-boys, and young people going out with goods. He moved to omit the sub-section.

MR. ASSHETON CROSS: The clause does not affect them at all.

MR. P. A. TAYLOR: If the right hon. Gentleman says so, that is enough; but it is thought otherwise at Leicester, and the persons he referred to were persons working in factories.

MR. C. CAMPBELL said, he had to apologize to the House for not having an Amendment ready on this matter, which he had intended submitting, but he would bring it up on the Report. He wished to support the remarks of the hon. Member for Leicester (Mr. P. A. Taylor). He entirely agreed with him in what he said, so far as regarded boys working alternately in morning and afternoon turns. What he should propose was, that the children employed in the morning one week, should in the next be employed in the afternoon, and *vice versâ.*

Mr. ASSHETON CROSS pointed out that that was not the object of the hon. Member for Leicester, and if this subsection were struck out, the effect would be injurious to the education of the children. The object was to make school work succeed factory work in a manner favourable to education. The hon. Member for Leicester was, however, in error, in supposing that this provision would apply to errand-boys, and the Royal Commission recommended that they should not be touched.

Mr. P. A. TAYLOR: I am told it will touch the winders, and those who take out the work.

Mr. A. M'ARTHUR observed that he, also, had received some strong representations from Leicester on this subject, and he was informed that the Bill would be very injurious to a large number of workers.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Clause 15 (Period of employment, time for meals, and length of continuous employment for women in workshop).

The O'CONOR DON said, it was not his intention to move the first of the Amendments of which he had given Notice, with the object of extending to young persons the regulations for the employment of women in workshops, as it was a consequential Amendment upon that which the Committee had just negatived. But he now rose to move an Amendment that would cast out of the clause a sub-section that imposed a considerable and new restriction on the employment of women. His proposal was that the hours of work should not be tied up within the short limit of the 12 hours provided for in the Bill. The right hon. Gentleman now proposed to subject adult women to a new restriction, by providing that in workshops in which both women and young persons were employed, the former should only be employed in the same period, and subject to the same restrictions, as if they were young persons. Employment would thus be restricted to the 12 hours, from 6 to 6, or from 7 to 7. The hon. Member for Sheffield (Mr. Mundella), in his evidence before the Royal Commission, said it would be impossible to interfere in this manner with the habits of the people and the trade of the country, and he went on to state that he did not propose to compress the period of a day's labour between stated hours. He thought he might, therefore, claim the support of his hon. Friend for his Amendment to strike out of the clause the sub-section which restricted the labour of adult women in workshops, when working with young persons. It was very important to consider what would be the effect of the clause, coupled with the other provisions in the Bill. If they placed further restrictions on the labour of adult women, and at the same time removed them from work done at home, the necessary result would be that they would drive work out of places which, as a rule, were well ventilated, to the homes of the workers themselves, where it would be carried on under the most disadvantageous circumstances. He thought, therefore, in view of every consideration which the right hon. Gentleman had before him in this Bill, it was most important that the Committee should consider whether it was wise, merely because young persons happened to be employed in these workshops, to place this restriction on the employment of adult female labour. Such persons mostly had domestic duties to attend to which deserved consideration, and he asked the Committee to reflect whether they were justified in making such a recommendation merely on the ground that they must have similarity. He begged, therefore, to propose the second of the Amendments which stood in his name.

Amendment proposed, in page 8, line 16, after the word "observed" to leave out to the word "persons" in line 26, inclusive.—(*The O'Conor Don.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. ASSHETON CROSS said, the Amendments which he proposed would not have the effect which the hon. Gentleman attached to them.

THE O'CONOR DON wished to point out to the right hon. Gentleman that the Bill as it stood gave very great relaxation for work which was carried on by people in their homes. Similar relaxation was not made with regard to work carried on in workshops. It would, in his opinion, be a dangerous plan to pursue, to put further restrictions on the workshops, whilst relaxing them on work done at home, a relaxation which, he believed, was necessary.

Question put.

The Committee *divided*:—Ayes 190; Noes 56: Majority 134.—(Div. List, No. 26.)

Clause *agreed to.*

Clause 16 (Period of employment and time for meals for children, young persons, and women in domestic workshops).

THE O'CONOR DON said, he had given Notice of an Amendment, the effect of which would be to take homes altogether out of the category of workshops. Since he gave Notice of the Amendment, his right hon. Friend the Home Secretary had placed on the Paper what went a great way towards meeting the object he had in view; but still he thought it was just as well that the Committee should have an opportunity of discussing the whole question upon this clause. Under the law as it at present stood, an Inspector might go into the home of any working man, bringing with him a policeman and a doctor, and might put questions as to the persons who were inhabiting that room, and as to what they were doing. This law had never been carried into effect, because it would never be submitted to, and if an attempt were made to enforce it, it would cause a revolution. The Home Secretary proposed that the fact of work being carried on for the purpose of gain, in a private house or room where the family dwelt, should not in itself constitute such house or room a workshop within the meaning of the Bill, provided that the work was done at irregular intervals, and that it did not furnish the whole or the principal means of the living of the family. He thought this proposal would open almost as wide a door to work being done in the homes, as if the Amendment which he had put on the Paper were adopted. At all events, the principle involved in the right hon. Gentleman's proposal was very much the same. If the right hon. Gentleman had any preference for his own Amendment, he should not object to it; but he thought it right to give the Committee an opportunity of now discussing the matter, and therefore he moved the following Amendment in page 8, line 41, at commencement of clause, to insert—

> "Save as hereinafter provided in regard to the education of children, the regulations of this Act with respect to the employment of children, young persons, and women, and the powers of Inspectors, shall not apply."

MR. W. HOLMS viewed with very great suspicion the passing of such a clause. The adoption of the proposal of the Home Secretary, while qualifying the clause, would not remove the difficulty. How, for instance, would it be possible to ascertain whether the work done at home furnished the whole or principal means of the living of the family? Other exemptions ought to be made besides those proposed by the Home Secretary. There were houses in the West End of London where ladies did work, of a decorative character, for first-class upholsterers. Were the Inspectors to enter such houses, and if not, where were they to draw the line? He thought it was dangerous to put in the Statute Book laws which could not be carried into effect.

MR. HOPWOOD said, it appeared to him that the Amendments of the Home Secretary showed that the right hon. Gentleman himself felt strongly pressed, either by the present state of the law, or by the state of the law as it would be created by this Bill. Therefore, the right hon. Gentleman sought to obviate the strength of the objections which he himself felt in regard to this kind of legislation, and he did this by means of the qualifications embodied in the Amendments which he had placed on the Paper. The proposals of the right hon. Gentleman were various. They seemed rather obvious specimens of what the law was or should be, and they would have been still more so, but for the fact that this Bill and some parts of the Act of Parliament rendered them necessary. He would take the last of the amending proposals as a specimen. It provided that the exercise, in a private house or private room by the family dwelling therein, or by any of them, of manual labour for the purposes of gain, should not constitute such house or room a workshop within the meaning of the Bill. That "went without saying," because it could not enter into the mind of any man, that such a house or home was a workshop, under any system of legislation applying to this country, where we had been accustomed to have the management of our own houses and our own business. Yet the subsequent words of the amending clause made this plain right depend upon whether the labour was at irregular intervals, or was wholly the subsistence of the family. How could an Inspector learn this, except by entering any house he pleased, which was most objectionable?

Mr. MUNDELLA pointed out that the question raised by the hon. Member for Roscommon (the O'Conor Don) had long ago been investigated and disposed of. It was found that frequently children were driven out of workrooms and sent into private houses, in order to evade the regulations of the Act. Further, there was no case within his knowledge of a complaint on the part of an individual that his domestic privacy had been invaded. Altogether, the effect of the Home Secretary's measure was exaggerated. It was forgotten that his Bill was simply a consolidation of previous Acts. They were dealing with an old form of legislation, and not with a new one, as the hon. and learned Member for Stockport (Mr. Hopwood) seemed to think.

Mr. ASSHETON CROSS said, that the whole question raised by the hon. Member for Roscommon (the O'Conor Don) had come before the Royal Commission, and had been carefully considered by them. They concluded that it was unquestionably necessary that some restriction should be placed on the employment of persons in private dwelling-houses. Nobody who read their Reports could fail to agree with them in this conclusion. The question for the Committee now was, whether any mischief had been found to result from the working of previous Acts. The Commissioners had inquired very carefully into the matter, and there had been a complete absence of any complaint as to the manner in which the Inspectors performed the duties entrusted to them. What would happen if the clauses now objected to were omitted? There would be the strongest temptation to transfer children from workshops to these private dwelling-places; and so an Act which was intended to consolidate previous Acts on the same subject, would have the effect of perpetuating the evils it purposed to prevent. He fully admitted the delicacy of the whole matter; and he would listen attentively at the proper time to whatever changes of a reasonable character hon. Members might wish to make.

Lord FREDERICK CAVENDISH would ask those hon. Members who objected to the clause to reflect that the interference with private dwelling-houses would not have been sanctioned in the Act of 1867 if the gravest necessity for such interference had not been demonstrated. There was naturally the greatest repugnance to this form of legislation; but the Commissioners, composed of very efficient men, who had considered the question for years, had reported in its favour, and it was hard to resist the weight of such high authority.

The O'CONOR DON felt strongly the force of the arguments that had been advanced in defence of the clause. He was conscious of the evils that might exist in these dwelling-houses, especially in the tailoring trade. He was ready to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

The O'CONOR DON moved, in page 9, line 1, after "used" to insert "in aid of the manufacturing process carried on there."

Mr. ASSHETON CROSS agreed to the Amendment.

Amendment *agreed to.*

Mr. FAWCETT moved to leave the words "women and children" out of the clause. He said, he had been reproached with having changed his mind on this question. But he recollected much more startling changes in the minds of hon. Members opposite. He remembered the proposal to establish household suffrage being denounced by the Conservative Party. ["Question, question!"] That was the question, because they had cheered him when he said he had changed his mind. Household suffrage, which the Conservative Party had denounced, was carried within a year by the head of a Conservative Government. Therefore this taunt against him of having changed his mind was rather strange. With regard to the proposal in the clause, it seemed to be considered an absolutely conclusive argument in its favour that it had been proposed in the Act of 1867. But it was ridiculous to argue that they must accept in 1878 everything that had been done in 1867. What was the question raised by that clause? This clause said that in every house in England, whether it were the home of a rich or a poor person, where a woman carried on manual labour for the sake of money, labour could only be pursued under certain strict conditions, and could not, however severe the woman's necessities, be continued after 9 o'clock in the evening. It went farther. It gave the right to Government Inspectors, medical officers, and police, to enter every home, so as to see whether, in a humble garret or a drawing-room, any woman was working after 9 o'clock. The Home Secretary was said to contemplate the introduction of arrangements which would relax the severity of this clause. He was said to intend giving women the precious privilege of coming to him as suppliant mendicants to beg that they might be allowed to toil without these restrictions. The clause would establish an intricate system of Government interference with the whole domestic and internal life of England. They were asked to sanction a principle which it was absolutely impossible to carry out, and nothing could be more mischievous in legislation than to carry measures which could not be brought into practice. Could all the Home Secretaries that ever existed, and all the Government Inspectors in the world, put down the work done in the dwelling-houses — say, for example, among his constituents in the East End of London? How could they hope to establish a body of Inspectors bearing any proportion in their numbers to the work to be done? Sixty or eighty thousand children employed in agriculture required a larger number of Inspectors than Government could supply. What, then, would be the number of Inspectors wanted to see that in no house in court or alley, or even in country village, a woman was working more than nine hours? They would not, besides, be able to confine the operation of this Act to the homes of the poor. It was an undisputed fact that there were many persons in their own position in life—as, for instance, when a father had died, leaving behind a wife and children in a respectable position in society—in which women had to supplement the income of the family. They had to work in various ways—by painting porcelain, and the like—to make an addition to their means, in order that they might make a respectable appearance, or that the younger children might be educated. Under this clause, an Inspector, a medical officer, or a policeman, would have a right to come and knock at the door of such a lady and a daughter, and say—"You are working after 9 o'clock in the evening; you are contravening this Act; we will compel you to incriminate yourself"—for that could be done under the Act—"and we will inflict a fine upon you." It was argued that a workshop might be converted into a dwelling-house. That was an evil; but how small an evil in comparison with that of passing a law which could thus interfere with the right of a woman to work for her own livelihood in her own home.

MR. ASSHETON CROSS said, a fallacy which underlay the whole of the hon. Member's argument completely destroyed its force. The clause did not apply to a woman who was working for herself; such a woman was entirely free; she was not employed; she employed herself. The clause applied solely to those who employed others.

MR. FAWCETT asked what would be the effect if the woman worked for her husband?

MR. ASSHETON CROSS replied, that, according to the best authorities, a woman could not be considered as an *employé* in that case.

MR. HIBBERT suggested that the difficulty raised by the hon. Member for Hackney (Mr. Fawcett), and the counter-objection put forward by the Home Secretary, would be met if the hon. Member for Hackney (Mr. Fawcett) would so amend his Amendment that children should be under inspection, and women in the position described by the hon. Member for Hackney should be excluded. All women, however, should not be excepted, for then they would not have provided for the case in which women were employed by women.

Mr. PARNELL asked if the Act applied to Ireland?

Lord FREDERICK CAVENDISH thought the hon. Member for Hackney had made out a case that required the consideration of the Home Secretary.

Mr. ASSHETON CROSS said, the clause only affected the case where they were all the members of the same family. He had already stated that the mother of a family would not come under it. The only people that would be affected would be those members of a family who were above 18. It did not apply to younger persons.

Mr. PARNELL thought it would be monstrous to extend the application of this clause to Ireland. It really gave to the police exactly the same powers that the hon. and learned Member for Limerick (Mr. Butt) had succeeded in eliminating from the Coercion Act for Ireland. The clause might suit England, whose cities were teeming with industry; but it would be utterly unsuitable for Ireland.

Mr. ASSHETON CROSS pointed out that a similar Act had existed in Ireland since 1867, and not a single instance had ever occurred of its being abused. With regard to the objection raised against the power given to a policeman, he had introduced words in a subsequent clause which would allow the Inspector to take a constable only in such cases as he had cause to expect resistance in the discharge of his duty.

Mr. BIGGAR believed that the Act would be both useless and mischievous in Ireland. The effect of it would be that a person here and there would be summoned by the police, at a great deal of personal annoyance, but that the great mass of people would be left completely uncontrolled.

Mr. PARNELL assured the House that in Ireland the clause was practically a dead letter. He had been asked if he could mention a single instance in which the privacy of a family had been intruded upon by Inspectors. No, he could not, for the reason that if an officer were to attempt to make his way into an Irishman's house on such an inquisitorial mission, he would meet with considerable obstruction—and very justly so.

Amendment *agreed to.*

On Motion, "That the Clause, as amended, stand part of the Bill?"

Mr. PARNELL moved to omit the clause.

Motion *negatived.*

Clause, as amended, *agreed to.*

Committee report Progress; to sit again upon *Monday* next.

BAR EDUCATION AND DISCIPLINE BILL—[Bill 88.]

(*Mr. Attorney General, Mr. Solicitor General.*)

SECOND READING.

Order for Second Reading read.

The ATTORNEY GENERAL: Notwithstanding the lateness of the hour, I trust the House will proceed to the second reading of this Bill. Hon. Members are no doubt aware that the Inns of Court exercise the power of calling students to the Bar, and also the very disagreeable and unsatisfactory function of censuring for misconduct such as have been called, of suspending them, if necessary, or disbarring them altogether. These four Inns of Court have hitherto provided, by arrangement, for the legal education of those about to become barristers; but it has been thought desirable not only that they should be relieved from the disagreeable duty of dealing with persons who misconduct themselves in the Profession, but that the education of students should be transferred to a Council of the four Inns. The Bill provides for the constitution of such a Council. The body is to consist of 30 members—a certain number to be appointed by the Crown, the rest by the Inns of Court. The Bill also provides for the election and retirement of members, and for filling up vacancies. Jurisdiction is given to the Council over the legal education and examination of students, the censuring, suspending, and disbarring of barristers, and over all other matters that may be referred to them for advice and decision. There is, too, this most important provision—that the four Inns shall respectively contribute to the Council, out of their general funds, such annual sums as may be required, not exceeding the following amounts:—Lincoln's Inn, £1,300; Inner Temple, £1,500; Middle Temple, £1,200; Gray's Inn, £600. These contributions, it is thought, will be quite sufficient to enable the Council to provide for the legal education of those studying for the Bar; but provision is made in the Bill that that body may accept donations in aid of the purposes coming within the scope of their powers. This Bill, I may add, was introduced by the Lord Chancellor, and passed through the other House, last Session; but a pressure of Public Business prevented us here proceeding with it to its final stages. The measure is one which I regard as of the greatest importance; it has received the universal approbation of the Inns of Court, and I trust, therefore, that the House will assent to the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Attorney General.*)

MR. J. W. BARCLAY said, that as the Bill involved several important principles, and as the hon. Member who had an Amendment on the Paper (Mr. Norwood) did not expect the second reading would be taken at such a late hour, and was not then present, he begged to ask the Government not to proceed farther with the measure that evening. The simple object of the Bill, as he read it, was to perpetuate and extend a trades' union of an objectionable character, and the reason why these additional powers were asked for was that that trades' union found itself in the present day unable to exercise proper control and supervision over its members. If the aim of the Lord Chancellor and the Attorney General was to secure an irreproachable race of lawyers and law agents, then there would be some excuse for maintaining the trades' union; but they knew, by experience, that the Inns of Court exercised no such influence. To his mind, it was a question whether the public would not be better served if the Legal Profession were entirely thrown open, and the close corporations called Inns entirely abolished. The Amendment of the hon. Member for Hull was directed against one very serious abuse—namely, that an advocate could accept a retaining fee, and yet not consider himself bound to render his client any services in return. It had been the practice among leading practitioners to accept fees in cases which they knew beforehand they could not attend to. ["No, no!"] Hon. Members dissented; but was it not a fact that the abuse had become so glaring that the attention of the members of the Bar themselves had been called to it? It was, no doubt, true that there were gentlemen of a higher order of morality in the Profession; but he repeated that the practice did prevail. If working men, in their trades' unions, were to act as barristers did in this matter, there would be no end of reprobation passed upon them. But he defied hon. Members to point out the case of a single trades' union in which working men conducted themselves so utterly in defiance of all the principles of political economy as did certain members of standing at the Bar, who were sometimes retained in order to prevent their being engaged on the other side. Now, surely it was a great abuse for an advocate to accept a retaining fee when he knew perfectly well that his other engagements would not permit him to give any attention to the case. Seeing, then, that a very important principle was involved, and that the hon. Member for Hull (Mr. Norwood), who felt very strongly on the matter, was not in his place, he trusted that the Attorney General would not proceed with his Motion that evening. He moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. James Barclay.*)

SIR GEORGE BOWYER must express his regret that this very important Bill had been brought forward at an hour when it was absolutely impossible it could be properly discussed. Therefore, he hoped that the hon. and learned Gentleman would allow some further opportunity for debate on going into Committee. Now, the Bill, to his mind, practically rendered the office of the four Inns of Court a sinecure. The education and discipline of the Bar were to be vested in a Council, leaving the Inns of Court with the one simple prerogative of calling students, and making their functions purely ministerial. The result would be that some day the Benchers, like the Serjeants and the Doctors before them, would sell the property of the Inns, and divide the proceeds amongst themselves. They would vote themselves to be without anything to do, and perfectly useless. So great a revolution in the constitution of the Bar as that proposed by the Bill, ought not to be decided upon without full discussion. A point of great importance was that the Inns were to contribute for the purposes of legal education. Now, Parliament would want to know more than they did at present on that subject, and particularly what was the proportion of the several contributions to the incomes of the Inns. The entire question was one not so much for lawyers as for the whole community.

Sir HENRY JAMES: I am only going to say that I hope the hon. Member will not persist in his Motion for the adjournment of this debate. This Bill has been fully considered by those who are most interested in it—the Benchers of the different Inns—and I think they have fully accepted its principle, which is, that instead of four bodies acting without any unison, there should be a federation of those bodies, with the view of giving them greater strength and unity. That being agreed to, all the rest can as well be discussed in Committee as on the second reading. The point involved in the Amendment of the hon. Member for Hull was very fully discussed last year, when I called attention to a particular case which it was supposed created a grievance, but which, on inquiry, it was found inflicted no grievance at all. It is now asserted —rather crudely, it is true—that counsel are in the habit of receiving fees, well knowing, at the same time, that they will not be able to attend to the cases for which they receive those fees. Now, I think I shall not be exceeding the limits of Parliamentary language, when I say that the hon. Member has not the slightest foundation for that statement; he has no foundation for it so far as my knowledge and experience goes. It is true that owing to peculiar circumstances—the arrangements of the Courts and the uncertainty of the duration of cases—it is impossible for an advocate of distinction to pledge himself to be in a particular place at a particular hour; but I do know that the fullest acknowledgment is made of these harassing conditions by the gentlemen who give us our instructions. It is not they who complain. The complaints are made by persons who have no practical knowledge of the inconveniences attending the exercise of the Profession, and who not unnaturally, perhaps, think the fault must be with the members of the Bar. But if these charges are to be brought, let them be founded on particular facts, and made against particular persons—not preferred in vague and uncertain form, convicting no one, and yet casting a slur on the whole Profession. If anyone wants an opportunity of making any of these charges, no doubt it will be afforded him; but I trust the Attorney General will consult the convenience of the House rather than that of the hon. Member for Hull, who might have been present, and that he will proceed with the second reading.

The ATTORNEY GENERAL: I am sorry the hon. Member for Hull (Mr. Norwood) is not here; but his absence is not owing to any fault of mine. The other night I put off the Bill at great inconvenience to myself, because he was not present. I am very desirous of taking the second reading to-night, and therefore I hope hon. Members will give way. Due Notice will be given of the day on which the Committee stage will be taken, so that any matters which it is wished to be discussed may be raised.

Mr. CHARLES LEWIS said, in regard to the very high ground taken by the hon. and learned Member for Taunton (Sir Henry James), he did not intend to make any charges against the Bar, but simply to ask some consideration for the vast body of gentlemen who employed the Bar. He would not say that a Profession so distinguished as that to which his hon. and learned Friend belonged, and which numbered in its ranks men of the highest integrity, knowingly pursued a system that was something like unprincipled; but he was prepared to assert that the arrangements under which the legal business of the country was carried on was most unsatisfactory. Whether that arose from any want of agreement between the members of the Bar themselves, or any want of comity between the Bench and the Bar, he could not say; but it was perfectly notorious that persons who paid large sums of money in retaining eminent counsel, frequently found themselves left without the services of those gentlemen when their cases were called on. This was no new matter. Two years ago there was an important discussion on the subject in that House, when a large number of Members voted in favour of the Bill brought in by the hon. Member for Hull. And things had not improved in the meantime; indeed, at this moment the hopeless state of confusion into which their legal business had fallen was a disgrace to the Judicature system of the country, and demanded the very serious consideration of the House. It was all very well for legal Members of that House to stand up in the panoply of their own distinguished position, and argue for the Bill; but it was perfectly clear that it was in the power of the Bar to make better arrangements—say, by dividing itself into sections—by which a legitimate chance would be given to suitors of securing the services of counsel to whom they had paid large retaining fees. It was perfectly well known that in the Chancery Courts such an arrangement prevailed. There were four Courts of First Instance in that branch of the Judicature, and the leaders of the Bar, practising in them, divided themselves into as many sections, which they never left except on special retainers. The consequence was that there was very few complaints of neglect of suitors in the Chancery Division. Why should not some such attempt be made on the Common Law side? He had ceased, himself, to be a member of the Legal Profession; but as one who had taken an active part in it for 37 years, he was prepared to say that there was very wide - spread dissatisfaction amongst clients, in reference to this question of retainers. He did not say that it was the fault of advocates that they did not sometimes render those services for which they were paid—it was the fault of the system which made it a mere matter of haphazard whether clients could reckon upon the attendance of counsel to whom they have given heavy fees. He ventured to suggest that if the second reading were agreed to that night, it should be on the understanding that the next stage should be made the first Order of the Day, so that the hon. Member for Hull might have an opportunity of taking a division on his Amendment. The hon. and learned Member for Taunton (Sir Henry James), in taking high ground, slightly overstated his case; for he (Mr. Lewis) happened to know that there were counsel who professed to take briefs in every one of the Common Law Divisions of the High Court of Justice, and who, at the same time, occasionally went in for the Divorce Court and heavy arbitration cases. Now, in these instances, it was found, as a matter of practice, that it was entirely a question of mere chance whether clients were able to obtain the services of counsel they had retained, when those services were required. If the Motion for the adjournment of the debate were pressed, he should feel compelled, as a matter of consistency, to vote for it.

MR. COLE regretted extremely that the hon. Member should have used such strong words in reference to a most honourable Profession. He charged them, in fact, with nothing less than obtaining money under false pretences; but he (Mr. Cole) consoled himself with the belief that Gentlemen who made imputations of this kind knew nothing of the Profession, its members, or its practice. At the present moment, the arrangements of the various Courts made the transaction of business extremely difficult, and it did occasionally happen that members of the Bar were unable to attend to the cases for which they had been retained. There was no analogy between the Common Law Division and the Chancery Division; for in the former there were sometimes as many as 15 Courts sitting at one time, 3 Divisional Courts, the Court of Appeal and the House of Lords, with *Nisi Prius* Courts sitting both in London and Westminster. With regard to *Nisi Prius* cases, there was only one list in which causes were entered for all the Divisions, and from that list the Divisions were supplied each day, and no one could tell in which his case might come on. It might be in one paper to-day, in another to-morrow, and so on. He himself had had cases that had been in as many as five different papers ere they came on. This made practice exceedingly difficult; but the public were much to blame for it. They ran after distinguished advocates, and for the mere chance of obtaining their services, were willing to pay them large retaining fees.

MR. O'SHAUGHNESSY maintained that the Bill provided exactly the machinery necessary for removing the abuses which admittedly existed. It had been said that the Bill was one to perpetuate close corporations or trades' unions. Now, so far from that being its object, it sought to take away from the Inns of Court any aspect or character of the kind they might ever have possessed. If the powers set up by the Bill were insufficient to meet the abuses which existed, it was open to the House to strengthen them in Committee.

Mr. BIGGAR supported the adjournment of the debate in the interest not of the lawyers, but of a much more ill-used class — suitors and the public—who should be afforded an opportunity of expressing an opinion on the Bill. In illustration of the abuse of retainers, he mentioned a case which came under his own experience in one of the Committee-rooms of the House. Several learned counsel were engaged by the promoters of a private Bill. At the hour for commencement none of these were present; but the Committee consented to wait until one could be found to open the case. Presently one of the barristers was hunted up and brought to the room, when he requested the Committee to allow him a short time to rest after his fatigues elsewhere. The learned gentleman then sat down, took his lunch, scanned over his brief, and afterwards opened the Bill in a speech of about 15 minutes' duration. After that, he believed, he never showed his face again in the Committee-room whilst the case lasted.

Mr. C. H. WILSON said, that his hon. Colleague (Mr. Norwood) did not desire to impede the progress of the Bill. His object was simply to provide a remedy for a state of things which was as unsatisfactory to the Bar as it was to clients. It was unsatisfactory to the latter, because, by the non-attendance of a leading counsel, a case might be lost, and a man ruined for life. What was the practice? They all knew that clients would go to the fashionable members of the Bar, and those gentlemen had so much work thrown upon them, that it was utterly impossible for them to perform all those duties that were almost forced upon them. That was the position. He was quite sure, that if the Attorney General would give assurance that the Committee would have ample to discuss this Motion, his hon. Colleague (Mr. Norwood) would be perfectly satisfied.

Mr. O'Shaughnessy

Mr. DILLWYN, for his own part, would suggest that the discussion should take place on the second reading, because that seemed to him the most fitting time to take discussion on the principle of the Bill. The hon. and learned Baronet the Member for Wexford (Sir George Bowyer) quoted some very weighty reasons against the principle of the Bill; and, no doubt, if hon. and learned Members of the Profession had expected this Bill to come on, many more would have come down to the House, and there would have been a full discussion. He had listened with great interest to what had been said; and, believing that full discussion before second reading was desirable, if the hon. Member persisted in the Motion for adjournment, he should certainly vote with him.

Question put.

The House *divided*:—Ayes 29; Noes 101: Majority 72.—(Div. List, No. 27.)

Question again proposed, "That the Bill be now read a second time."

Dr. CAMERON: I beg to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Dr. Cameron.*)

Mr. J. W. BARCLAY said, that when he came down that evening, he had no intention of taking part in this debate; but the Amendment of the hon. Member for Hull (Mr. Norwood) had given rise to a question of considerable interest to the general public, in regard to certain practices of barristers. He did not intend to characterize the Profession as a dishonourable Profession, but he did say that certain members of the Profession were in the habit of taking fees. ["Name, name!"] He did not think the House of Commons was to be made the medium of indicting any individual in particular. Had he been prepared, he should have referred to evidence, and to particular cases on this subject, as the hon. Member for Hull, he believed, was prepared to do. He was aware that there were as honourable members of the Bar as of any other Profession. The object of this Bill, as the hon. and learned Gentleman the Attorney General told them, was to have a strong body to enforce discipline among members of the Bar. Therefore, when this proposal was brought up for the increase of discipline, he considered it was a proper time to discuss the general question. Some hon. Members had strongly resented the idea that the Association of the Legal Profession was of the character of a trades' union. He did not see any difference between a trades' union of working men and a corporation of members of the Bar, except that the one was established by legal authority, and the other by private consent. There might be arguments for this corporation, but the same arguments might be used for trades' unions. If they asked a mason the reason for trades' unions, he would say they prevented the employing of men who were not trained masons, and that they would build houses that would tumble down, and great public injury would follow. On the other hand, they would be told that if men not properly qualified acted as barristers, no dependence could be placed on the Judges with whom the decisions ultimately rested. He would like to see where there was any difference between the Legal Profession and trades' unions, about which so much was heard of in the Press and in that House. He thought the discussion so far showed the necessity for much larger discussion of this question. He did not know much about the Legal Profession; but he had come as much into contact with the Legal Profession as he cared to do, and he knew there was a general feeling of dissatisfaction in regard to the system of retaining barristers, which, if they allowed this Bill to pass, they would be countenancing. It was urged upon all sides that the present system was bad, and he thought such an occasion as the present was a fair opportunity for discussing whether there could not be some improvement. With regard to barristers taking fees in cases which they knew they could not attend to, of course it remained very much with the barrister himself to give an idea whether he would be able to attend to the case or not; but without going so far as saying that a barrister knowingly accepted fees for any case which he knew he could not attend, he could have no difficulty in referring to instances where fees were accepted when the barrister knew he had already as many briefs as it was morally possible for him to attend to. He said that if he thought it was necessary — [*Interruption*] — he repeated that if he thought it was necessary, he could prove such cases among barristers where retaining fees had been accepted when the barrister himself must have been aware that they could not all be attended to. Barristers might attain to large practice, but they should not accept a larger number of briefs than it was morally possible for them to attend to. He did not think the hon. and learned Member for Taunton (Sir Henry James) went beyond what was necessary for him to say. He did not make any general accusation against the legal Profession, but certain members of that Profession. This Bill had been introduced for strengthening the discipline of the Bar, and the fact that this Bill had been introduced for strengthening the discipline of the Bar, justified what had been said on the subject.

MR. KNOWLES said, it was not his intention to detain the House many minutes. When clients engaged eminent legal gentlemen, they were fully aware that they might be disappointed sometimes. As in all Professions, there were some abuses; but the House must not forget that barristers were often retained when they were not required to attend. They were retained to keep them away. No doubt it was often very agreeable to both when the barrister did stay away. He trusted the House would allow the Bill to be read a second time, because he was fully persuaded it would be one of considerable importance.

MR. D. DAVIES said, he had known members of the Profession taking fees double and treble, and sometimes four fees on the same day. He had no wish to accuse them of doing this intentionally. He had noticed this, that a client who gave £100 was more likely to have the services of a barrister than one that gave £50, so that there was something in payment after all. He had many times been willing to pay double in these Committee-rooms. He was sorry to say that a great number of his friends had passed away from this world to a better world. At the same time he had paid many thousands of pounds himself for fees, and never had any fees returned to him. He had been accustomed to do work himself, and, if the work was not done, the pay was taken off. He never asked for it; and he only said now that barristers should not take three or four fees for the same day. There were many good fellows in the world, after all; but, when important matters came on, they were anxious to secure the best. Committees were not so well up in these matters as the Judges were, and, when clients lost counsel, their case was gone, and they often lost their case because their counsel did not appear. As for this Bill, he had not read it, and he had not seen it; but he trusted the Government would give the House fair play to make the best of it.

THE ATTORNEY GENERAL did not think the Bar were indignant because they were supposed to take double fees, but they were indignant because they were accused of taking briefs when they knew perfectly well they could not attend to them. This was what members of the Bar felt, and felt most acutely. He did not mean to say that there was no case where members of the Bar were prevented from attending to the case of their clients. That must necessarily happen under the present system. If the system could be altered; if there could be greater certainty that a case would come on, and in what Court, matters might be very different. But the present system certainly was in such a state that members of the Bar could not possibly guarantee their attendance, much less attend to every case. They did their best, and he must say that clients were sometimes unreasonable. The hon. Gentleman who had just spoken was a gentleman of great experience. He had told the House his counsel deserted him. Had he not a remedy? He might say to the counsel who deserted him—"You shall not have a brief from me again." If he did not do his utmost to attend, the client could tell him that he would not employ him again. There were hundreds of barristers of quite sufficient ability to conduct proceedings and willing to guarantee their attendance in Committee-rooms. He did not know that it could be useful to raise this discussion on this Bill. This Bill furnished means to provide for the discipline of the Bar and for punishing any barrister who might be guilty of any dereliction of duty; and he had no doubt if the Council was constituted as it was proposed to be constituted by this Bill, and if it could be brought home to any member of the Bar that he had deliberately accepted a brief from a client, knowing perfectly well that he would not be able to attend to it, that would be good ground for asking the Council to censure him. If proposals were to be made to introduce machinery more effectual than that proposed by the framers of this Bill, that would be certainly a case for the Committee; and he must appeal to hon. Gentlemen opposite to allow this Bill to be read a second time, and he would undertake to do what he said he would do before—that was, to give ample opportunity to discuss the question before going into Committee. He did not think he need say more. As he said before, he could not guarantee that the Bill should be made the first Order of the Day, but he would guarantee that there should be ample Notice given before the Bill went into Committee.

DR. CAMERON: On that understanding, I beg to withdraw the Motion.

Motion, by leave, *withdrawn.*

Bill read a second time, and *committed* for *Monday* next.

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Friday, 22*nd February*, 1878.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Territorial Waters Jurisdiction (23).
Third Reading — (£6,000,000) Consolidated Fund *; (£6,000,000) Exchequer Bonds and Bills *, and *passed.*

TERRITORIAL WATERS JURISDICTION BILL—(No. 23.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving that the Bill be now read the second time, said, he wished to remove a misapprehension which he knew to exist out-of-doors with reference to a statement made by him on introducing the Bill. Having on that occasion referred to a passage of the judgment of Mr. Justice Lush in the *Franconia* case, in which that learned Judge said that, if Parliament had legislated for the particular place, a jurisdiction would thereby have been acquired by the Court, he pointed out that that learned Judge appeared to have overlooked that, under a Customs Regulation Act, which gave them authority in the matter, the Lords of the Treasury in 1848 issued a warrant which defined the limits of the Port of Dover as extending three miles out to sea; and he stated that, as the collision had occurred within that limit, if the learned Judge had been aware of that warrant, the result of the appeal in the *Franconia* case might have been different. He (the Lord Chancellor) was, however, anxious not to be understood as having wished to imply that either Mr. Justice Lush, or any other of the learned Judges, had overlooked any matter which ought to have been within their cognizance. Now, a matter such as this warrant could not have been known to a learned Judge unless it had been brought specially under his cognizance. The warrant relating to the Port of Dover was not known to himself until it was brought under his notice by a gentleman connected with a Public Office, and certainly the learned Judges could not be expected to be aware of it unless through some circumstance of that kind.

LORD HATHERLEY said, he had not understood his noble and learned Friend to imply that Mr. Justice Lush or any of the learned Judges had overlooked any matter of which they ought to have had cognizance. He desired to add his testimony to the desirability of passing such an Act as this; but he hoped that no attempt would be made to extend the zone beyond the marine league—or three and a-half statute miles—which all nations concurred in recognizing. They all knew what evils had sometimes resulted from too large claims being set up.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

House adjourned at half past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 22*nd February*, 1878.

MINUTES.]—SELECT COMMITTEE—Local Government and Taxation of Towns (Ireland), *re-appointed* and *nominated.*

PRIVATE BILL—*Second Reading*—Govan Burgh.

PUBLIC BILLS — *Select Committee* — Metropolis Management and Building Acts Amendment* [67], *nominated;* Merchant Seamen [79], Mr. Hamond and Mr. Macdonald *added.*

Considered as amended—Glebe Loans (Ireland) * [9].

PRIVATE BUSINESS.

GOVAN BURGH BILL (*by Order.*)

SECOND READING.

Order for Second Reading read.

SIR EDWARD COLEBROOKE, in rising to move that the Bill be now read a second time, said, that in its main provisions it was most virtually confined to a very simple object—to enable the high authorities of Govan to take and turn to account a number of small strips of waste and common land scattered about the burgh; many of them in the middle of the town, and which, in their present state, were not only actually waste, but were a deformity of the burgh. The Bill proposed that the authorities of the burgh should have power to turn these pieces of waste land to account, and to lay them out as ornamental grounds, or to sell them and apply the produce to the creation of a public park, which would be a benefit to Govan and the neighbourhood. That object was an object which he thought was in strict conformity with the powers conferred upon the burgh Commissioners by the general Act under which they were constituted. The Bill had certainly undergone considerable alterations since it was first introduced, for originally it was an Omnibus Bill embracing several objects. In consequence, however, of the opposition of the right hon. and learned Lord Advocate, these other provisions had been withdrawn, and the Bill now simply stood with the provision he had just explained, and another in regard to the regulations of the traffic upon the tramways. Personally, he gave up those other provisions with regret, although he admitted there was some force in the objection which had been raised against them. In the first place, they proposed to extend to the burgh of Govan the provisions of the general Act with regard to the extension of boundaries, and also to increase the number of Commissioners, so as to enable them to discharge the onerous duties now resulting from the increase of the burgh itself. He readily admitted the force of the objection which was made by the right hon. and learned Lord Advocate, that it was inexpedient to deal in a private Bill with questions that were affected by the general Act. That principle, however, he was afraid might be strained too far; and, considering the dead-lock at which our legislation had arrived, and the difficulty of passing a general Bill, some indulgence ought to be allowed to those who attempted to legislate in a private Bill for the public benefit. However, he advised the promoters of the Bill not to sacrifice a valuable object for the sake of other objects which were regarded as objectionable, and which might give rise to discussion. Opposition had also been notified by the authorities of the city of Glasgow, and there was also an important Petition against the Bill from the Trustees of the Clyde Navigation. He held in his hand a letter from the agents of those two bodies stating, that in consequence of the withdrawal of the objectionable provisions, they had decided not to offer any opposition to the present stage of the Bill. Therefore, the Bill stood upon the Papers up to the previous day as an unopposed measure; but his hon. Friend the Member for Glasgow (Mr. Anderson) now came forward, and said—"I have some objections to urge to the Bill." But for that unexpected opposition, there had been every reason to expect that the Bill would have passed the second reading without a division. Until he knew upon what grounds the opposition of his hon. Friend was to be offered, he was perfectly in the dark. Inasmuch, however, as the authorities concerned, and all those who felt an interest in the matter, and who notified opposition to the Bill in the first instance, owing to the impression that their property in the burgh might be injuriously affected—inasmuch as all these persons had withdrawn their opposition—it remained for his hon. Friend the Member for Glasgow to show the House some reason why he was induced to take a step which, if successful, would remove the Bill from the investigation of an ordinary Select Committee—a tribunal quite capable of dealing with any interest which might be affected. The hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Edward Colebrooke.*)

Mr. ANDERSON said, that his hon. Friend (Sir Edward Colebrooke) had stated that he was quite in the dark as to the cause of his (Mr. Anderson's) opposition to the Bill. On that he would endeavour to enlighten him. His hon. Friend had also stated that the authorities of the city of Glasgow had withdrawn their opposition to the measure. On certain conditions they had withdrawn their opposition to the Bill at that stage; but in no sense had they withdrawn their extreme dislike to the measure, and to all Bills of this character. While he admitted that it was an exceptional thing to reject a Bill on the second reading, he thought he should be able to show that there were in this case strong and valid reasons for adopting that course. The burgh of Govan, which had attempted to get through this Bill, was one of those burghs which had been constituted under the general Police Act of Scotland. That Act was intended to enable centres of population to establish for themselves police powers and jurisdiction. But if it had been contemplated that the Act was to be used in the way in which it had been used, he doubted very much whether Parliament would ever have passed it. It had been used in a most objectionable way in centres of population, which were in no sense self-dependent populations, to make clusters of small burghs around great towns. Glasgow had suffered very much from this cause. They had become completely hemmed in by a number of small parasite burghs, who really fed upon them, lived upon them, who were immediately around them, and were mostly, but not all, non-industrial centres. In this one there was some industry going on, but most of them were not industrial centres. They were chiefly residential centres, and men who derived their whole income from Glasgow lived outside Glasgow, continuing to reap all the benefits of the taxation of Glasgow while escaping any corresponding contribution. In these small burghs the expense of police was very small, indeed, because they depended upon Glasgow in the case of an emergency. If a large fire broke out in any of them, they were utterly powerless to put it out without the assistance of the Glasgow fire brigade. In case of a riot, they depended entirely upon the Glasgow police, for they had no police sufficient to quell any considerable disturbance. Altogether, this was a description of burgh which had to be tolerated, seeing that it was perfectly legal under the Act, but which ought not to be encouraged by the House, except where it sprung from a self-supporting centre of inhabitants, whose industry created and maintained them within the burgh itself. This particular burgh came to that House now for the purpose of escaping from the general Act which created it, and of actually arrogating to itself, by means of a private Bill, all the powers and privileges appertaining to Royal burghs. That was so preposterous an idea that it could not be entertained for one moment by the Government, and that part of the Bill they saw at once it was necessary to abandon. And when those clauses were abandoned, there remained not a great deal of the Bill, but what did remain was very bad. The principal part was, as the hon. Baronet had explained, to enable the promoters to appropriate what they were pleased to call certain "common lands," and to appropriate, also, some money lying in the bank. But neither those "common lands," nor the money lying in the bank, belonged to them; yet they wanted to take these common lands, and to take this money which belonged to others, and to appropriate them to the uses of the Police Commissioners of the burgh of Govan. Now, under the Lands Clauses Consolidation Act, there was a special arrangement for common lands, and some years ago a part of these common lands was bought by the Clyde Navigation Trustees; and as the Commissioners could not give a title to the land, and as the feuars could not give a title as a third party, the heritors of the parish also claimed them. Under the general Act the money was deposited in a bank, and the general Act provided that the Court of Session should direct to whom the money was to go in such cases. The remaining clauses in the Bill were thus to supersede a general Act, which provided for cases of that kind, and to ask the House to deal with the common lands and with the money under such circumstances, just as if no such Act existed. These Police Commissioners could have no claim to the land. It was not as yet known who it belonged to, or to whom the money belonged. Certain parties claimed them as being the heritors of the parish. If that claim was good, it belonged not to the small burgh of Govan, but to the whole of the parish of Govan, which was an enormously large parish. If their claim was not good, then it belonged to the original feuars of Govan, who were a comparatively small body of poor men mostly. And if the Commissioners went to the Court of Session to get it decided by a declaratory action, which it was competent for them to do, the decision would be arrived at at infinitely less expense than it could be by fighting the question before a Committee of that House. Everybody knew what the expense was of fighting a private Bill before a Committee of that House. It was proposed by that Bill to bring a number of very poor people up from Glasgow to fight for their rights, when, at the same time, there was an Act of Parliament in existence under which it ought to be dealt with by the Court of Session. The promoters of the Bill wanted to override that Act, and, on pain of forfeiting their rights, to bring these poor men to London to defend them. This was the strong ground on which he opposed the Bill. It had been represented to him by the feuars of Govan that they could not come to London to fight the Bill, and that they would otherwise be simply robbed of their rights; whereas if they proceeded in accordance with the Statute by trying a declaratory action, this Bill would be entirely unnecessary. There was one other clause remaining in the Bill which he might refer to, because his hon. Friend the Member for Lanarkshire had not alluded to it. In his view, he thought it was a still more objectionable clause—he meant the Costs Clause. The Bill had now become a very small one—so small, that it was not worth while for the Commissioners to fight for it at all if it were not for this fact—that if the Bill were carried, even with only that one clause in it, it would be possible for the Commissioners to throw the whole Parliamentary expense of getting the Bill upon the ratepayers, which they certainly ought not to have the power to do; but which, if they passed any part of it, they would have. In the interest of the ratepayers of Govan, he objected to Parliament enabling these Commissioners to saddle the ratepayers with the expense of getting this Bill, which, in the form it was now reduced to, was utterly and completely unnecessary. He understood that the Bill was really promoted only by the clerk of the burgh and certain Commissioners, and that it would benefit nobody but themselves. For these reasons, and because he thought that if the burgh of Govan were to be allowed powers of this kind it would prejudice the ultimate good of Glasgow, the neighbouring city, he should oppose the second reading of the Bill.

Mr. M'LAREN said, he wished to point out to the House one point which had not been adverted to. He was sure that his opposition to the Bill had nothing to do with the general opposition to the measure, for he had heard nothing in regard to the Bill except what he had heard in the course of the debate. His hon. Friend the Member for Glasgow (Mr. Anderson) said the Bill originally proposed that Govan should take to itself all the privileges possessed by Royal burghs; but that such a proposal was so inadmissible that the clauses had been struck out at the instance of the right hon. and learned Lord Advocate. Now, he desired to call the attention of the hon. Gentleman the Chairman of Ways and Means to a part of the Bill which still remained, and which he thought was much more objectionable than anything which had been struck out. It altered the general law of Scotland in regard to the letting and feuing of land of any kind whatever. By the law of Scotland, no Royal burgh could let for more than one year any bit of land, however small, except by public auction; and no Royal burgh could feu any quantity as a site for a house except by public auction. That law was established by an Act passed about the year 1820, known in Scotland as Sir William Rae's Act, Sir William Rae being the then Lord Advocate. He wished to call the attention of the hon. Gentleman to the part of the Clause 14, from line 10 to line 13, enabling the promoters to dispose of the land—to

> "sell, exchange, feu, set, or let on lease such other portions of the said commons as they may think fit, either publicly or by private bargain."

That was contrary to the law of Scotland, and the law was established for good and sufficient reasons; because parts of the property of the burghs had been aforetimes so jobbed as to reduce the burghs almost to the condition of paupers. The effect, however, since that time had been to preserve all existing rights. He could speak of his own knowledge that, at least for more than 40 years, no one bit of land in the Royal burgh of Edinburgh had been sold or feued except by public auction. Then the clause went on to say that

> "the produce of the feudities and rents received for the same should be laid out in the purchase of such other lands as the Commissioners might think suitable, to be set apart and used, along with any lands which they might obtain in exchange for any portion of the said commons, as a public park or recreation-ground for the use and benefit of the inhabitants of the burgh."

And then came in a very insidious passage at the conclusion of the clause—Clause 14—which was worthy of the notice of the House—

> "And may lay out, maintain, manage, and regulate the said roads, pleasure-grounds, and park, or recreation-ground, and make and enforce bye-laws with respect to the use thereof; or may apply the said prices, feu, duties, rent, and interest in such other manner as they may judge best for the use and benefit of the inhabitants of the burgh."

Public parks seemed to catch the eye, but the concluding lines of the clause gave the Commissioners complete power to deal with the money as they thought fit. For these reasons, he thought the Bill ought not to be read a second time. He was quite sure that if the attention of the right hon. and learned Lord Advocate had been called to this clause, he would never have allowed it to stand.

Mr. ORR-EWING said, he had intended to oppose the Bill on its second reading, both upon general grounds, and in deference to the interests of the city of Glasgow, he should have moved the curtailment of the provisions of a very pretentious Bill, which was entirely wrong in principle. Indeed, it was held out that it was intended to annex Glasgow, instead of Glasgow, one day, annexing it, But since Notice was given of opposition by the hon. Member for Glasgow, the promoters had been before the hon. Gentleman the Chairman of Ways and Means, and they had agreed to withdraw from the Bill all the objectionable clauses. He understood that his hon. Friend the Member for Glasgow had opposed the Bill entirely in the interests of Glasgow, but now he seemed to oppose it in the interests of the people of Govan itself. They all knew that the Commissioners of Govan could not have come before the House without having first obtained the consent of the inhabitants of Govan. But the Bill still had another opponent. The hon. Member for Edinburgh (Mr. M'Laren) found out some flaws in the Bill, but surely it was not possible to deal with them here. The alterations could be made before a Committee of that House. He agreed very much with what his hon. Friend the Member for Glasgow had said with reference to those little ulcers in the immediate neighbourhood of Glasgow, and he hoped the day was not far distant when these little burghs would be absorbed in the Royal burgh of Glasgow. But so long as Govan was a separate district, so long as there were Commissioners of Govan, surely they were entitled to come to that House for powers to improve the place; and this was a very great improvement, to sell a number of small bits of land which they said they had a right to. If they had no right to it, the Committee would soon ascertain and decide the point. If they had a right to it, then, he thought, they ought to sell these small bits, in order to realize sufficient to enable the burgh to have one large park. Now, if Govan were united to Glasgow, it would be an advantage to the people to have a large park for the recreation of the people. He hoped, therefore, that his hon. Friend opposite would allow the Bill to pass its second reading.

MR. RAIKES: I confess, Sir, that I think the House has been put to some little inconvenience by the course taken by the hon. Member for Glasgow (Mr. Anderson), although he is unquestionably quite within his own right with regard to this Bill. The Bill has been for some time deferred, owing, as we have been told, to certain objections taken to the measure by the learned Lord Advocate on behalf of the Government. These objections have been considered by the promoters, and they have been met. In the course of this week, when the Bill was upon the Paper for coming on to-day, the parties offered to see me, and we met and went into the rights and wrongs of this question, which they discussed very fully, and, I think, very ably. At the conclusion of that discussion, I received a communication from the agents who opposed the Bill, stating that it was their intention not to persevere in opposing the Bill as it now stands. Therefore, I can imagine that the promoters, being satisfied with that assurance, are as much surprised as I am to find that the hon. Member for Glasgow continues to persist in the Notice which he had previously given to oppose the Bill at the present stage. Of course, the hon. Member for Glasgow is justified in taking any course which he thinks proper; but I cannot but think that he has to, a certain degree, taken his opponents at a disadvantage in this matter. I do not know whether the House has followed the remarks of hon. Members closely. If the question is one of considerable technical difficulty, I am bound to say that I do not think it is one raising any question of principle, as far as I can judge from the speeches of hon. Members, which can make it desirable to oppose it at this stage. The original proposition in the Bill, when first brought in, was to raise the police burgh of Govan, practically, to a Royal burgh, and to invest it with all the privileges which attach to a Royal burgh. That was the part of the Bill to which the learned Lord Advocate objected, as he considered that it was not desirable to deal with matters of that sort in a private Bill. Wherefore, that part of the Bill had been dropped, and what is now before the House is really a very small proposal—firstly, to give these police magistrates of Govan a certain control and jurisdiction over cab drivers and omnibus drivers which they do not at present possess; and, secondly, to give them certain rights over some common land, and some money which has been paid by the Clyde Trustees for the purchase of the common lands. I daresay that some of those hon. Members who take an interest in the question of commons may suspect that there is some possibility of those sacred territories being invaded in this case. I can assure the House that, after having seen the plans, with the piece of common land referred to in the Bill, that it consists of merely very small fringes—pieces of very narrow strips of land—perfectly useless for any public purpose of recreation; and the object of the promoters of the Bill is to sell these strips of land, and acquire the funds which may enable them to provide recreation-grounds for the benefit of the people of Govan. The only question is as to the precise title of the promoters of the Bill to do this. The hon. Member for Glasgow says that they are not the persons representing the people of Govan in the matter; but I hold in my hand a copy of the resolution passed at Govan on the 19th December, 1867. It says, in effect, this—

> "A public meeting of the feuars and inhabitants of Govan, convened by printed handbill and the public crier, to be held at the above time and place."

The first resolution was that—

> "The Provost, and magistrates, and commissioners of the burgh of Govan, and their successors in office, may henceforth promote, on behalf of the feuars and inhabitants, a scheme for improving the roads and commons in the burgh, and especially take advice so as to protect and watch over their interests in the application to Parliament of the Clyde Trustees for the purchase of these lands."

And, further, it was resolved—

> "That the Provost and commissioners of the burgh, on behalf of the feuars and inhabitants, take measures to promote next Session a Bill vesting the whole of such commons in the magistrates and the commissioners of the whole burgh of Govan in the public interests, and entitle them to receive £2,800 and the interest thereon agreed by the Clyde Trustees to be paid."

Well, I do not know why that Bill was not carried through then; but it appears that the inhabitants of Govan empowered these Commissioners to act upon their behalf in this matter. They come before this House, now a few years afterwards, when the sum of money is somewhat increased; and it may be regarded as something rather like covetousness on the part of the great neighbouring city of Glasgow to now oppose it. I hope the House will see that the real question is one which can be more fitly gone into by the Committee upstairs; and if the Bill goes to a Committee, the hon. Member for Glasgow can still have his opportunity of raising his objections. I hope he will not go to a division after what I have said; but if he does, I shall vote for the second reading of the Bill.

Sir EDWARD COLEBROOKE said, he only desired to say with regard to the remarks made by the hon. Member for Glasgow (Mr. Anderson), that the Commissioners had now power to go before the Court of Session, and that they must come to Parliament and promote the Bill to attain their object.

Mr. SPEAKER: I must remind the hon. Baronet that he has already spoken on the subject.

Sir EDWARD COLEBROOKE: I beg your pardon, Sir, I thought an Amendment had been moved.

Mr. ANDERSON: On the understanding, Sir, that I may take the objection at some future stage, I will withdraw my opposition.

Motion *agreed to*.

Bill read a second time, and *committed.*

QUESTIONS.

NAVY—RESERVED OR RETIRED OFFICERS.—QUESTION.

Mr. P. A. TAYLOR asked the First Lord of the Admiralty, Whether there are any regulations established touching the command, rank, pay, and emoluments, and general status to be assumed or enjoyed by officers on the Retired Lists of the Navy in the event of the exigencies of the State requiring them for active service in the Fleet; if so, whether he will lay a Copy of the same upon the Table of the House; and, if there are not any such regulations in force, whether he can hold out any hope of their being framed at an early date, and issued for the guidance of the officers and others concerned?

Mr. W. H. SMITH, in reply, said, the regulations governing the pay, &c., of retired officers called out for active service were stated at chap. 7, section 1, par. 1, of the Queen's Regulations and Admiralty Instructions, and were as follows:—

> "Whenever Her Majesty may be pleased, by her Order in Council, to call officers from the Reserved or Retired Lists into active service in

case of war, or of emergency, Her Majesty has been pleased to approve that such officers as may be so employed shall be in all respects entitled to the pay and emoluments of their respective ranks on the Active List."

When the occasion arises for calling out retired officers, any regulations necessary to supplement the above will be immediately drawn up and an Order in Council obtained.

ARMY—LANDGUARD FORT.

QUESTION.

Mr. BENTINCK asked the Secretary of State for War, Whether it is true that Landguard Fort has been rebuilt without any provision having been made for supplying the garrison with fresh water; whether it is true that the proper garrison of the Fort has not been and cannot be quartered there; and, if he would state how the artillerymen now in charge of the guns are provided daily with fresh water, and at what cost?

Mr. GATHORNE HARDY, in reply, said, it was true that the Fort had been rebuilt without any provision being made for supplying the garrison with fresh water. This was owing to the fact that for the 250 years that the Fort had been in existence, it had been supplied from what were called the garrison springs, in a piece of Crown land about a rood in extent, and some little distance from the Fort. This land had been claimed by the lord of the manor, who had not succeeded in obtaining it, and who had therefore cut off the springs. That was the reason the Fort was without a water supply, and the springs being subterranean there was no redress to be obtained in the Courts of Law. The full garrison of the Fort was not now quartered there; but that could be done at any time it might be deemed necessary. The Artillery who were there at present in charge of the guns were supplied with fresh water by means of water carts.

LAW AND JUSTICE—COUNTY COURT JUDGES.—QUESTION.

Mr. FORTESCUE HARRISON asked the Secretary of State for the Home Department, Whether he has any objection to obtain and lay upon the Table of the House, a Return from all the County Court Judges in England and Wales, showing the number of Arbitrations which they have respectively undertaken, together with the amounts paid to them in respect thereof, during the years 1875, 1876, and 1877.

Mr. ASSHETON CROSS, in reply, said, he had consulted the Lord Chancellor upon the matter, and there would be no objection in presenting such a Return if the hon. Member would move for it. He might, however, say, that a rule was laid down by the Lord Chancellor, that no such arbitrations should be undertaken by County Court Judges.

SUGAR CONVENTION.—QUESTION.

Mr. WAIT asked the Under Secretary of State for Foreign Affairs, Whether any progress has been made in the ratification of the Convention on Sugar Bounties, agreed to by the delegates of the four contracting countries nearly a year ago, or whether, the time stipulated for ratification having long since expired, Her Majesty's Government propose to renew negotiations for the abolition of Bounties on the export of Sugar from France, Belgium, and Holland, and to include in such negotiations Austria and Russia, where also large Bounties are given; and, whether Her Majesty's Government have received any further complaints of the operation and extension of the Foreign Bounty system on account of increasing injury thereby inflicted on the British Sugar Colonies?

Mr. BOURKE: The Netherlands Government raised objections to the terms of the draft Convention prepared last year by the delegates of Great Britain, Belgium, France, and the Netherlands. Communications are still passing between the four Powers with the view to the signature of a fresh Sugar Convention; and Her Majesty's Representatives continue to take such steps in the matter as they properly can. There is no reason to think that the Governments of Austria and Russia would be willing to join the four Powers in the proposed Sugar Convention. The West India Committee has continued to call the attention of Her Majesty's Government to the injury occasioned to the West India Sugar Colonies by the foreign bounty system.

BOARD OF WORKS (IRELAND)—REPORT OF THE COMMISSION.—QUESTION.

Mr. GRAY asked the Secretary to the Treasury, When he expects the Report of the Commission on the Board of Works in Ireland will be in the hands of Members?

Colonel STANLEY: I am sorry to say that the Report of the Commission on the Board of Works will not be in the hands of Members before Easter, as the evidence was very voluminous. My noble Friend who was at the head of the Commission informs me that the evidence is not altogether completed. He is anxious to obtain a meeting of the Committee; but he has found some difficulty owing to the engagements of Members of the Government in arranging for it. Until the evidence is concluded, of course the Report cannot be proceeded with, and I understand the Report will take some time for consideration.

CUSTOMS DEPARTMENT—THE PLAYFAIR COMMISSION.—QUESTION.

Mr. KIRK asked Mr. Chancellor of the Exchequer, Whether any decision has been come to by the Treasury respecting the application to the Customs Department of the recommendations of the Playfair Commission; and, whether it is correct that Memorials from the out-ports of the United Kingdom on this subject, addressed to the Lords of the Treasury, had been retained in the hands of the Board of Customs from the 15th December 1877 to the 6th February 1878?

Colonel STANLEY, who answered the Question, said, that no decision had as yet been arrived at with regard to the application to the Customs Department of the recommendations of the Playfair Commission. The subject was one of considerable importance, and it would require a considerable amount of care in its investigation. It was a fact, he understood, that Memorials from out-ports had remained in the hands of the Board of Customs for some considerable time. That had arisen partly from the knowledge which the Board already possessed of the views of the Lords of the Treasury and partly from the indisposition of the Board to forward the Memorials during the absence from illness of their Chairman.

LAW AND JUSTICE—THE QUEEN v. BRADLAUGH AND BESANT.

QUESTION.

Dr. KENEALY asked the Secretary of State for the Home Department, Whether his attention has been called to the failure of justice in the recent prosecution of The Queen *v.* Bradlaugh and Besant, for the publication of an indecent book, such failure being caused, as declared by the Court of Appeal, through the insufficiency of the indictment against those persons; whether such indictment was prepared or settled by the Chief Law Officers of the Crown; or, if not, by whom; and, whether he will bring in any measure by which persons who are put to great expense or trouble by means of wrongfully drawn indictments, settled by the Chief Law Officers of the Crown, can obtain compensation from the Treasury, or redress of any sort?

Mr. ASSHETON CROSS: I should be glad to give every information to the hon. Member in my power; but I think this Question has been asked under some misapprehension. The Government have had nothing whatever to do either with the prosecution or with the drawing of the indictment to which the hon. Member refers.

INDIA—TAXATION.—QUESTIONS.

Mr. O'DONNELL asked the Under Secretary of State for India, Whether the Road Cess Tax and the Public Works Tax are not an income tax of six per cent on the entire native proprietary and farmers of Bengal; and, whether he has seen any report of a recent native meeting at Bombay, protesting against the manner in which native incomes are burdened by income taxes more or less disguised, while European salaries and European profits are avowedly or practically exempted?

Lord GEORGE HAMILTON: The maximum amount which can be levied under the Road Cess Tax and the Public Works Tax in India is an anna in the rupee upon the annual value of lands in a district, equivalent to 6 per cent. I have seen a telegraphic report of a meeting held at Bombay two days ago; but I have no information on the subject beyond that newspaper telegram.

MR. O'DONNELL asked the Under Secretary of State for India, Whether a licence tax has not been introduced in the Bengal Legislative Council by which incomes of five pounds a-year, or less than two shillings per week, such as are earned by the very poorest class of native market dealers, are to be taxed; whether the total amount leviable in any single instance, even in the case of the large incomes of the European trading and mercantile community, is not limited to twenty pounds; and, whether Government proposes to introduce any compensatory measure to prevent the Licence Tax being practically a burden upon native trade alone?

LORD GEORGE HAMILTON: The maximum amount leviable under the Licence Tax was 200 rupees, the minimum 1 rupee; by which no one coming under the operation of the Bill could pay more than 2 per cent on his trade income. Since, then, modifications have been made with a view to increasing the maximum amount leviable, and also to exempting the lower incomes; but we have not yet received the Bills in their final shape. At present, we have no intention of putting on any tax additional to those proposed by Sir John Strachey.

PARLIAMENT—PUBLIC BUSINESS.

QUESTION.

MR. O'SHAUGHNESSY asked the Chief Secretary for Ireland, When he intends to lay before the House the promised measure on the subject of Intermediate Education in Ireland?

MR. J. LOWTHER: After the proceedings the other night with regard to the Grand Jury Bill, I should not be doing right to allow any other Bill to take precedence of it. I hope to introduce the Grand Jury Bill on Thursday, and when some progress has been made in it, I hope to introduce a Bill upon Intermediate Education.

BAR EDUCATION AND DISCIPLINE BILL.—QUESTION.

DR. KENEALY asked Mr. Chancellor of the Exchequer, Whether he would be pleased to explain any special reasons which might exist for Government passing over three of their own Orders of the Day in Thursday's list, and, unexpectedly, at half-past 12 o'clock, bringing on the Bar Discipline Bill, on which several hon. Members who had left the House wished to speak?

THE CHANCELLOR OF THE EXCHEQUER: I have looked at the Orders as they stood on the Paper last night. The first was the Factories and Workshops Bill, which occupied the greater part of the evening. Then came the Public Health (Ireland) Bill, with regard to which, I believe, it was generally understood that it would not be proceeded with last night. The Highways Bill came next; and, with reference to that, my right hon. Friend the President of the Local Government Board, early in the evening, gave, to a Question put to him, an Answer from which it might be inferred that the Bill would not be gone on with. Then followed the Roads and Bridges (Scotland) Bill, as to which it was distinctly stated that it would not be taken last night. There remained the Bar Education and Discipline Bill. It would, I think, have been perfectly natural for any hon. Gentleman who wished to take part in the discussion on that Bill to have made some inquiry, either publicly or privately, whether it would or would not be proceeded with; but no Question was asked, and as Progress in Committee on the Factories Bill was reported a few minutes after 12, and as none of the other Bills could be taken, the Bar Education and Discipline Bill standing next, the Attorney General moved the second reading, and his doing so was, I think, quite in accordance with the general practice. I am sorry that hon. Members who had wished to take part in the discussion were not present; but, as was pointed out last night, there will be another opportunity of raising discussion upon the principle of the Bill, on the Question that the Speaker leave the Chair.

NAVY—COAL CONTRACTS.—QUESTION.

MR. GOURLEY asked the First Lord of the Admiralty, Whether it is a fact that the contracts for the supply of coal to Her Majesty's ships in the port of Lisbon are now confined to one firm; and, if so, whether he will state to the House the grounds upon which the former practice of offering such contracts to public competition under sealed tender has been abandoned?

MR. W. H. SMITH: The demands made on the contractor for coals at

Lisbon are so uncertain that it is necessary to make special arrangements at that port. Accordingly, the Admiralty have entered into a contract with a resident firm for the supply of such coal as may from time to time be demanded, the contract being based on the market price of coal, plus a fixed rate per ton for freight, shipping, and management. This agreement is made with the leading firm at Lisbon, who have the greatest facilities for expeditiously coaling Her Majesty's ships, and who coal all the principal mail steamers. The practice of offering contracts of this nature to public competition has been discontinued for some years.

MOTIONS.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

PARLIAMENT—HOUSEHOLD FRANCHISE.—RESOLUTIONS.

MR. TREVELYAN, in rising to move—

> "That, in the opinion of this House, it would be desirable to establish, throughout the whole of the United Kingdom, a Household Franchise similar to that now established in the English Boroughs; that it would be desirable so to redistribute political power as to obtain a more complete representation of the opinion of the electoral body,"

said, in raising that Amendment to the Speaker leaving the Chair, he might, perhaps, be allowed to say that he expected they would have a very interesting discussion. The reason for that he would shortly state to the House. The peculiarity of that question had been that it had not followed the course that had usually been followed by questions of equal importance that had been brought before the House. Hon. Members on both sides of the House who brought on great questions would, he thought, generally allow that what happened was that when they brought forward these questions they were instantly met by all the arguments that could be brought against them; but that had not happened to those who in the past years had been bringing before the House the question of household suffrage. As long as the question was new, and as long as the Members who voted for it were few, so long the speakers who opposed it did not even attempt to touch the question. He was sure hon. Members would recollect the tone of the Prime Minister, who constituted himself the spokesman of the opposition to the measure. They were told by the right hon. Gentleman that the question was untimely and inopportune, but his objections never went to the heart of the question; but all that was altered last year, when the section of Members, who had always supported this proposition, were reinforced by a very important body—the Front Bench of the Opposition. Then they witnessed the curious phenomenon that a measure which, while it was new, while it was feebly supported, received pretty general acceptance in theory, the moment it received the pretty unanimous suffrage of one side of the House, was opposed as erroneous and dangerous. Then the Secretary to the Board of Trade (Mr. E. Stanhope) fell tooth-and-nail on the supporters of the Motion, with a vigour which did the hearts good even of those who opposed his views, and he was followed by the intelligent Member for the City of London (Mr. Goschen), in a speech which established for ever, if it wanted establishing, his reputation for courage and sincerity. But this was not all, or nearly all, for since last Session all the arguments for and against this Bill had been put in a very strong light, and a very able manner, by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) and the right hon. Gentleman the Member for the University of London (Mr. Lowe). By what he had done the right hon. Gentleman (Mr. Lowe) had earned the gratitude of a great part of the community—of all people who looked to hear a great measure discussed in a worthy manner, and written about by a pen which literature grudged to politics. He had earned still more the gratitude of those who had so long urged this question on the notice of the House, for he had given them someone to argue with as well as something to vote for. He had, besides, put his arguments in so complete, terse, and compact a form that he hoped to be able to put his case before the House with more point and certainly more brevity than usual. Before he dealt with these arguments, however, he must say a word as to the Amendment which was to be proposed by his hon. Friend the Member for West Gloucestershire (Mr. Plunkett), which proposed an educational test. As he wished to get as large an expression of House of Commons opinion as possible in favour of his views, he should in any case oppose the Amendment; but he was not sure that they did not cordially agree with him. If by his Amendment his hon. Friend meant to propose an educational franchise—that was to say, if he proposed to give a vote to anyone who had passed a certain examination, or attained a certain degree, he could not but think he was going in a wrong direction. The arguments against such a proposal were put with force, and with convincing force, when Mr. Clay, the late lamented Member for Hull, introduced an Elective Franchise Bill in 1866, proposing to give a vote to anybody who could satisfy the Civil Service Commissioners of his ability to do dictation, and the first five rules of simple and compound arithmetic. That measure did not go to a division; but, had a vote been taken, he certainly would have opposed it, because he was convinced by the extremely able arguments of the right hon. Gentlemen the Members for Greenwich and Birmingham (Mr. Gladstone and Mr. John Bright). The former right hon. Gentleman then said—

> "I do not deny that there is something abstractedly good in an educational test, provided it could be reduced to a form of extreme simplicity. If some test, simple, definite, and unambiguous in its character, could be devised . . . . it might be wise to require all classes of persons to conform to that test."—[3 *Hansard*, clxxxiii. 1477-78.]

He presumed that the right hon. Gentleman meant that, while he was opposed to an educational franchise which gave the vote to anyone who passed a certain examination, yet he was in favour of an educational test, which withheld the vote from those who did not come up to a certain intellectual standard. But such a test they had had ready made to their hands, and they threw it away. The Ballot Bill, as originally brought forward, required every elector to mark his own paper. This was a test, simple in its working, uniform over the whole country, and therefore not subject to the whims and fancies of any particular examiner, and easy in its application. But, unfortunately, the test did not find favour with the gentlemen who wished to give the vote to men who must have been not only illiterate, but so stupid that they could not carry in their minds for five minutes the appearance of a piece of paper with two names printed on it. He voted for the test—the first time in a majority of 208, the second time in a minority of 87, and he was proud to remember that the minority was composed almost exclusively of Members of the Party who were generally accused of being anxious to take political power out of the hands of the cultured and the intellectual, and put it into the hands of the ignorant. He firmly believed that this was a question which must come before the House again, and when it did, he hoped his hon. Friend opposite (Mr. Plunkett), and those voting with him, would be found giving a Conservative vote—a vote that would be Conservative in the proper sense of the word. But, as he did not know the arguments his hon. Friend would bring forward, he would leave those which followed him to deal with his speech, and turn to the arguments of the right hon. Gentleman (Mr. Lowe). First and foremost among these was his argument that the reduction of the county franchise would be but one step on the way to universal suffrage. A few years ago, says the right hon. Gentleman, you brought in a very sweeping Reform Bill, so sweeping that you never could have induced the House of Common to pass it unless you had called it a final settlement. Now you come forward with another enfranchising Bill, more sweeping than its predecessors, and you expect me to believe you when you say it is a final step. Ten years hence, says the right hon. Gentleman, a Bill will be introduced enfranchising every citizen over 21, and that 10 years after that we shall have a Bill to enfranchise the brute creation. The simple and plain answer to this was, that the Bill did not lower the franchise below the point at which it was reduced in 1867. It was merely to extend what Parliament considered to be the soundest and most permanent basis of the franchise to those parts of the country to which it had not been extended already.

Parliament, in its wisdom, had come to the conclusion that, until every adult householder and ratepayer in cities had a vote, so long would there be a dangerous agitation going on in these great cities. The proof that Parliament was right was found in the fact that before the Reform Bill there was a good deal of agitation of a dangerous sort in the great cities; but since it had been passed, so far as the great cities were concerned, they had heard of none at all. It was no use to tell them, who had been twice returned to Parliament by household suffrage, that it led to universal suffrage. They heard less and less of it in boroughs every year. He did not believe there was a borough Member in the House who was pledged to universal suffrage, and he did not believe one Petition a-year was presented from a borough asking for universal suffrage. They were presented, for he had presented them in dozens himself; but they were sent, not from boroughs, where there existed an extended franchise, but in the counties, where an exclusion existed which he and those who acted with him wished to remove. That carried him to another argument often brought against this measure, but which had never been so audaciously put—if he might use the words—as it had been by the right hon. Gentleman (Mr. Lowe). They were often told that there was no demand for the franchise on the part of those to whom they wished to give it, and that they must wait until the labourers asked and agitated for it. This was what the right hon. Gentleman said on this point—

> "I am quite ready to concede that were we menaced by any great and pressing danger, such as civil war, for instance, it might be wise to accede somewhat, and to incur the chance of a future rather than to submit to the certainty of a present calamity."

Here was a very good specimen of the sort of immunities and privileges which belonged to the Gentlemen who took the Conservative side in controversy. If he had said anything of this sort—he, who belonged to that part of the House which the hon. Member for Mid Cheshire (Mr. Warburton), the other day, using words which he earnestly hoped and believed the hon. Gentleman was sorry to have used, described as the "scum of the Opposition"—if he, who belonged to that side of the House, had told an audience of farm labourers that if they wanted the franchise they must engage in civil war, he would never have heard the last of it, either inside the House or outside it. But here came a right hon. Gentleman, who was known as an advocate of restricted suffrage, and told the farm labourers he would not pay any attention to their Petitions or public meetings; but if they made themselves dangerous to the public peace, then, and then only, he would concede their demands. The right hon. Gentleman did not appear to know that these poor people had already attempted to call the attention of Parliament to their case in every possible way that they could contrive. They had petitioned until he was almost ashamed to advise them to petition any more. They had called meetings in the country, and during the two last years they had in the metropolis a meeting so important that the right hon. Gentleman the senior Member for Birmingham (Mr. John Bright) described one of them as the most remarkable conference that he was ever present at. And now they had done all that they could do, and spent all that they could afford, the House was told that they did not ask for the franchise, and that he and others were trying to thrust it into their hands. There was another argument of the right hon. Gentleman (Mr. Lowe) to which he would call attention for a few minutes. The right hon. Gentleman told them that the debates on Reform were always quite different from any other debates that were held in the House on any other subject whatsoever. The right hon. Gentleman said that when they were discussing any such topics, they always referred to the history of the past, and the experience of other nations; that our own history especially was investigated with unflinching industry; but as soon as Reform came before the House the whole process underwent an entire change, and they said nothing about the history of the past or the political experience of other nations, but indulged in vague declamations about the rights of man. He (Mr. Trevelyan) was quite certain that hon. Members who had listened to the numerous debates they had had on this question would allow that if there was any difference between Reform debates and other debates they had in this House, the difference was not in the debates, but in the right hon. Gentleman. On any other subject the right hon. Gentleman was very happy in catching up and answering an argument in any part of the House. But when the right hon. Gentleman said that they did not refer to the history of foreign countries in their speeches, he feared that the right hon. Gentleman must be deaf in the left ear. But on this occasion, at any rate, something should be said about foreign countries. The right hon. Gentleman told them that one effect of universal suffrage was to produce jobbery, corruption, and inefficiency in the administration of a country. He would read the actual words—

> "The suffrage in America is universal, and in England comparatively restricted, and the corruption in the Civil Service in America is becoming an intolerable evil; while England, by throwing it open to merit, is placing it every day higher in the estimation of the country."

The right hon. Gentleman was far too good a logician to think it was enough to state two perfectly true and sound propositions if they had not a link to connect them together. They all admitted that a century ago the public service of this country was comparatively corrupt. Patronage flourished, but now in most of our public services it was virtually extinct. The improvement was not due to restricted franchise. Was it not more the case that the public service had become pure in proportion, and almost exactly in proportion, as our political constitution had become popular? Why, in times past, when a Minister came to an appointment in the public service he scarcely ever was guided by public spirit. ["Oh, oh!"] He would not detain the House with extracts from Walpole's Diaries or George Selwyn's Letters. All he would say was that he was not so frequently guided by it as the right hon. Gentleman whom he saw opposite him. It was the Reform Bill of 1832 which made the nation look after its own affairs, and put a stop to the system of jobbery, and enabled the right hon. Gentleman the Leader of the House and Chancellor of the Exchequer to carry out, to a great extent, that admirable scheme of Civil Service Reform which he had so large a hand in devising. Unfortunately, in the last Parliament he was not able to complete this work. In the last Parliament, hon. Gentlemen were not prepared for completing the system of open competition, and the right hon. Gentleman the Member for the City of London (Mr. Goschen) in vain appealed to the last Parliament —that Parliament of which he was so much enamoured—to complete it. After the Reform Bill of 1867, when household suffrage was the rule of the boroughs, twice the Chancellor of the Exchequer carried through with his own hand that system of open competition of which he was so greatly and justly enamoured. He had, he thought, answered that argument of the right hon. Gentleman; and before he quitted altogether that question of open competition, he should like to say that if they looked to the two sides of the House, they should find the result calculated to perplex the right hon. Gentleman. He (Mr. Trevelyan) made a speech in the country in the course of the Recess. In that speech he made some remarks upon open competition, with the argumentative and substantial part of which he concurred still, and was prepared to support. But these remarks contained what certainly appeared like an imputation of motive, which he sincerely regretted, and which he should take very great care not to repeat. But he thought hon. Gentlemen opposite would allow him to say just this much—that the hon. Gentlemen in this House, who were not what he would call insane admirers of the system of open competition, were, for the most part, returned by the suffrage which the right hon. Gentleman wished to preserve, and that the most thorough-going admirers of the system were returned by a suffrage which the right hon. Gentleman sincerely deplored. "Then," said the right hon. Gentleman, "look at the fruits of universal suffrage. France proved that universal suffrage might co-exist with conscription, a protective tariff, and with arbitrary prohibition of the right of free speech and free thought." Surely this sentence was nothing more than one long nonsequitur. Conscription was a necessity of the Continental position. The reason we were free from conscription—and long might we remain so—was not that we had a restricted franchise, but that we were surrounded by a sea which our Fleets commanded. Was it not obvious, too, that protection was not a monoply of countries with an extended franchise? They had been told during the last month that despotic Russia was as much protective in her tariff as Republican France or democratic America. Did the right hon. Gentleman not think that the events of the last year in France should lead him to believe that the popular voice was in favour of free speech and free thought? The weapon most relied on by the conspirators of May last was the gagging of free thought and free speech; and he ventured to say that if the suffrage in France had been confined to a few instead of extended to the many, there would at this time not be an outspoken journal in Paris or an outspoken orator at Versailles. France had been saved from civil war; but what had saved it? He said boldly in the face of the House that it was the extended franchise. It was no use multiplying instances of foreign countries unless they were willing to answer the question the right hon. Gentleman had put so boldly. The right hon. Gentleman had said—

> "Is there any man bold enough to assert that the Reform Bill of 1867 has improved the House of Commons? We maintain that it has left the House as it found it."

So far as his (Mr. Trevelyan's) experience went, he was sorry it was so limited. He answered the question unhesitatingly in the affirmative. He had heard a great deal lately about the decline of the debating power in the House. If that meant that speeches were shorter and less pretentious than before, he cordially endorsed it; but if it meant that speakers spoke less ably and less to the point, he disputed it. If they came from debating to legislating, he boldly asserted that the Members of the House were ready to adopt measures bolder, more truly remedial, than Members in the former Parliaments, and these measures were not marked by violence or injustice. Let the right hon. Gentleman run over in his mind the Bills which had been turned into Acts by this and the last Parliament; let him name an Act which bore upon it the stamp of that democratic selfishness and democratic recklessness and violence of which he so eloquently warned them 10 years ago. The first two Bills of any great character which were brought into the Parliament of 1868 were two Bills which were honestly intended to pacify Ireland. Hon. Gentlemen opposite might not like the Bills, but they would not deny the honesty of the intention. Over these two Bills Parliament spent two Sessions without a murmur on the part of the new voters. The next important Bill was one for throwing open the grammar schools of the country to the middle classes, not to the new voters; and another Bill was for throwing open the Universities, to which not one in 100,000 of the new voters would ever send his son. Did this show democratic selfishness? The first Bill passed concerning the new voters was the Education Bill, by which the new voters boldly surrendered their hold over their own children for the good of the country, and recognized the obligation to educate those children, and to forego the assistance of their wages. That Bill, whatever it showed, did not show democratic recklessness or selfishness. He did not wonder that persons who reviewed the proceedings of the last Parliament and this had ceased to bring against Liberals the old trite hackneyed accusation of setting class against class. It was known now that the effect of household suffrage was not to divide classes, but to unite them—to bring them face to face, to let them know each others minds, and to do away with those misunderstandings and misrepresentations which were the cause of class hostility. He was reading lately an article written 10 or 12 years ago, which was remarkable for this—that the writer to a most extraordinary extent had acquired the manner—and a most telling literary manner it was—of a certain noble Marquess who held high Office in the present Cabinet. In that article were these words—

> "The workman has become more independent, more obstinate, and more extravagant. Whether in strikes or revolutionary outbreaks, every opportunity has been used with unremitting vigilance during the last twenty years to accomplish the wild visions of the victory of labour over capital on which the workman, undiscouraged by failure, resolutely broods."

But household suffrage showed that what the workman was really brooding over and wanted to accomplish by practical legislation, was certain salutary and judicious changes in the laws of conspiracy and of contract; and it actually came to this, that the Cabinet which the writer of that article supported, and in which, perhaps, he sat, itself brought in a Bill — and an excellent Bill it was — which turned the wild visions of those workmen into the sober reality of the Statute Book. He would conclude by asking the House to do with this Resolution what the Reform Bill of 1867 did for the householders of the towns. The Resolution asked them to add a very great proportion of the population to the ranks of citizens; to hear what they wanted in matters that concerned themselves; and to hear what they thought in those matters of Church and State, and peace and war, which concerned them every whit as much as they concerned the inhabitants of boroughs. He thought they must all allow that from the first stage of the Eastern Question to the last, a most unsatisfactory feature had been that, taking England and Ireland together, 1,000,000 and 200,000 or 300,000 of their countrymen, who had the nearest and dearest interest in the question, who had strong opinions on the question, had not been able at such a crisis to make their views known by the legal methods which ought to be open to every respectable man at a time when the fortunes of the country were at stake. This was his case. This it was to which he asked the House to apply a remedy. That side of the House last year gave its adhesion to the first Resolution with a unanimity which he hoped would be repeated that night. He did not expect the right hon. Gentleman the Member for the University of London (Mr. Lowe) to vote with him. It was not the way of the right hon. Gentleman to change his mind at the eleventh or any other hour, and that was one of the qualities for which they were proud to have him as one of the ornaments of their Party. But he did ask Her Majesty's Ministers to do what they had not yet done, and to make an unmistakable declaration on the merits of a question which concerned three-fifths of the population which they governed, and which he had endeavoured—and he hoped with tolerable success—to argue in a manner free from Party bias.

SIR CHARLES W. DILKE, in seconding the Resolution, said, that in speaking, as he and his hon. Friend had to do at the beginning of the debate, and before they had heard the arguments on the other side, they were forced, much against their will, to deal with speeches which had been made, and with articles which had been written, on previous occasions when the subject had been discussed. His hon. Friend the Member for the Border Boroughs had dealt very fully with the views of the right hon. Gentleman the Member for the University of London (Mr. Lowe). The right hon. Gentleman was, indeed, a fanatic in his cause. He far exceeded in the bitterness of his opposition the bitterest Tory who could be found within that House. He out-Heroded Herod. He had called the exclusion of the householders who happened to live outside the boundaries of the existing boroughs—"one of the best and noblest causes that ever asked for sympathy and support." Besides the arguments which had already been met by his hon. Friend, the right hon. Gentleman had made use of some which it remained for him to answer—as, for instance, that

> "the mere addition of large numbers to the constituencies would greatly increase the legitimate expense of elections."

That statement was entirely the opposite of the fact. The present constituencies chiefly consisted of constituencies that were vastly too large and constituencies that were sadly too small. Such constituencies were the most costly to contest; the enormous and unwieldy, from the immense expense of printing and of postage, of circulars, addresses, polling-cards, and the like; the very small, from the extreme importance which in them attached to the winning of each particular vote, and the consequent constant tendency towards bribery, treating, and other costly forms of corruption. The cheapest constituencies were the middle-sized ones—constituencies of that size and character which all constituencies should possess, unless, indeed, they were prepared to revolutionize their representative system, and to abandon its local character. The right hon. Gentleman had been followed by his hon. Friend into the discussion of the old Conservative argument, drawn from American experience. He (Sir Charles W. Dilke) was not in the least concerned to defend the Government of the United States; but those of its faults, and supposed faults, which had been pointed to by the right hon. Gentleman had, he would undertake to say, no kind of connection with the wideness of the suffrage. The right hon. Gentleman seemed to think that Protection had been imposed upon America by the poorer classes of voters. All who knew that country well, would, he thought, admit that the right hon. Gentleman was quite wrong, and that, taking the country through, a majority of the wealthy voters had hitherto been at least as strongly inclined to a policy of partial Protection as had been the poor. Turning from the Eastern to the far Western States, the right hon. Gentleman accused democracy of driving away cheap labour from California. He could assure him that he himself had heard some of the most educated and accomplished political economists in England—and the right hon. Gentleman believed in political economists and political economy—at a meeting of a famous body, of which the right hon. Gentleman was himself a distinguished member, give with much detail their reasons for entertaining the belief that, under the political and social circumstances of California, the placing of some check upon an enormous Chinese immigration into that State was a step in which they, though very far indeed from being democrats, would heartily concur. The right hon. Gentleman was not happy in dealing with the case of foreign countries. He said, that in France

> "we see that universal suffrage may co-exist with arbitary prohibition of the right of free speech and free writing."

Surely the right hon. Gentleman must be perfectly aware that manhood suffrage would make an end in France of all prohibition of the right of free speech, and of free writing, if it were allowed to have its way. He (Sir Charles W. Dilke), however, was not there to defend manhood suffrage, but to argue against that inequality of suffrage which existed at the present time in England, and to argue that question before a Body which, with the exception of the right hon. Gentleman and of a very few others, had agreed in establishing household suffrage in the towns. Parliament, in 1867, had established for the boroughs of England household suffrage, limited by two years' residence —for two years, and not one year, it really was—and those who now opposed them, but who concurred in what had been done in 1867, were bound to show as against them, that which the right hon. Gentleman, with his opinions, was not bound to show—namely, that there was some special reason for maintaining a different franchise in the counties, from that which existed in the towns. He entirely agreed with the right hon. Gentleman in arguing the matter as a question of expediency rather than of right. Right and wrong were in politics confusing terms. For his part, he thought it expedient that the franchise should be equalized throughout the land. He apprehended from the change no harm; no degradation of the House of Commons; no impairment of its efficiency. He looked upon the change as one which would greatly facilitate a most needed and most just re-distribution of political power, and which carried with it the enormous additional advantage of bringing half the population into a responsible and active share in the duties of citizenship of the State. The right hon. Gentleman appealed to modern experience

> "to show a single instance where Government, resting on the basis of universal suffrage, has been conducted in accordance with the opinions of the educated part of society."

He repeated that he was not there to defend a wider franchise than that which at present existed within the English towns. But when the right hon. Gentleman made so startling a request as that which he had just quoted to the House, he might be allowed to point out that the existing Governments of the German Empire and of France, both of which rested on manhood suffrage, were Governments conducted as much in accordance with the opinions of the educated part of German and of French society as could be the case with any Government that the world would ever see. If they compared the existing Governments of France and of the German Empire, resting upon manhood suffrage, with the existing Governments of Belgium and of Italy, resting upon a high and artificial suffrage, they could discover no inferiority in the first two Governments which he had named; and he hoped that the next time the right hon. Gentleman appealed to foreign experience it would not be in quite such confident and sweeping terms. The right hon. Gentleman professed to have been terrified by the overwhelming success of demagogues under a widely-extended franchise. Where were the demagogues in the German Empire? He was no admirer of many of the laws and institutions of that new State, but certainly they did not err in the direction of democracy; and, while the character of the Members returned to the German Parliament by free manhood suffrage and ballot might be too Governmental, it could not, with any kind of truth, be termed demagogic. The right hon. Gentleman refused, in his articles, to admit that anything was to be considered except how to obtain the best possible House of Commons. It was, of course, possible to conceive a better elective Assembly than any which ever existed or would exist. But the real question was, whether, under an extended county franchise, coupled with re-distribution, a worse House of Commons than the present would be brought together? This he was prepared altogether to deny. He should expect to see the same men returned; but many who at present sat for decayed, and some who sat for corrupt, communities, would be more active and more efficient Members of that House if they sat for constituencies which were worthy of the name. After all, while the right hon. Gentleman used high-flown arguments, founded upon false history, his real view, as might be gathered from some passages in his articles, appeared to be that the franchise ought not to be extended because the householders of the towns had returned a Conservative majority, and the householders of the counties might possibly do the same. Of course, he would deny that that was the view he took. It was too nakedly stated to be acceptable to his refining intellect. But he had read the articles with care, and that was the opinion which he had formed of their real drift. They had all an ideal in their view; and the ideal of the right hon. Gentleman was a Parliament which should contain 651 Members, like himself, all sitting for University constituencies. Perhaps, on the whole, they were better off as they were, and would be better off still under an extended franchise, accompanied as it must be by re-distribution. If the right hon. Gentleman was right in his opposition to the extension of the suffrage, there ought to have been noted, and he himself ought to be able to point to, a great inferiority existing since 1868 in the borough Members as contrasted with the county Members of that House. The borough Members were returned by that franchise which, in 1867, the right hon. Gentleman had so bitterly opposed. The right hon. Gentleman had not been able to make use of any argument of the kind. Why was this? For one of two reasons. Either because the borough Members, elected by the franchise of which he disapproved, had kept him and his Friends in Office during the last Parliament, and had carried for them all their great reforms; or else because no such inferiority in fact existed. There was one consideration with regard to the measure which they proposed which he wished to press upon the attention of the House. It ought to be remembered that while in most public questions the presumption was against changes in the matter of the Parliamentary franchise, the presumption was in favour of a change. In every State the presumption must be in favour of the exercise of the rights of citizenship by the largest possible proportion of the inhabitants. They could not be prevented from forming opinions upon public affairs. For the sake of orderly and peaceful Government, and for their own sake as men, it was desirable that those opinions should be expressed that they might receive due weight. The only Constitutional, and the only safe mode for their expression, was through Parliamentary Elections and the return of Members to that House. They should, then, be admitted to the franchise unless there existed reasons upon the contrary so strong as to upset the presumption in favour of the change. But their contention was that no evil consequences had followed from the admission of the householders of the towns, and that there was no essential difference between them and the householders whom it was now proposed to admit. The majority of them, indeed, consisted of persons of exactly the same class, accidentally excluded because they happened to live outside the limit of the particular towns to which it had pleased them to confine the name and the privileges of Parliamentary boroughs. All men had their hobbies, and resistance to Parliamentary Reform was the hobby of his right hon.

Friend—his dandy, if he might use a word by which the right hon. Gentleman had himself described the kind of hobby-horse which in his youth he used to ride. Upon their side of the House they had become used to the dandy of the right hon. Gentleman, just as horses would become used to bicycles in the present day, and had ceased to shy at it. But two of him was too much, and in the debate of last year he had received a great accession of strength. The right. hon. Gentleman had been re-inforced by another of his right hon. Friends; and, upon the division which occurred, 220 Liberals had gone into the one Lobby and three Liberals into the other—his two right hon. Friends, and the noble Lord (Lord Ernest Bruce), now a Member of another House, who at that time sat for Marlborough—two leaders and one follower; two right hon. Gentlemen from the Front Bench; and one other Member of the Party, against 220 Liberals on the other side. Surely, if those two right hon. Gentlemen had made out a good case, they would have got somebody besides the noble Lord. Had their eloquence fallen upon deaf ears as regarded every other Member? As for the vote which had been given by his right hon. Friend the Member for the City of London (Mr. Goschen), he might point out that the City had four Members in that House—three Tories and one Liberal. The Liberal spoke and voted against a further extension of the franchise to the people; but not one of the three Tories went with him into the same Lobby. As for the right hon. Gentleman the Member for the University of London (Mr. Lowe), they had understood the vote which he had given; but that of the right hon. Gentleman the Member for the City of London they had not understood, either before or after they had heard the reasons which he had given. He had told the House that it was the awful doings—"terrible" was his word—of the last or of the present Parliament that had frightened him. He had hinted at socialistic measures wrung from the House by demagogic pressure since 1868. Where were they? What were they? He wished to know. Were they the measures which the Cabinet of which the right hon. Gentleman had been a Member had introduced, or were they the measures of the present Government? If they were the measures of the last Cabinet and Parliament to which he referred, it would have been his duty to leave the Cabinet and to protest, and he certainly had done nothing of the kind. In the other case, let him tell the House what measures he had in view. A search through the records of the proceedings of the present Parliament did not show that the right hon. Gentleman had taken any very active part in opposition to any measures which might be described as being of a semi-socialistic kind. He had talked a great deal about the Navy, and about the Universities, but these could not be the matters which he had in view. If it was the Artizans Dwellings Act of which he had been thinking, there were two answers to be made to him, of which the chief would be that he ran away from and deserted those who had opposed that Bill, and had left them altogether in the lurch. It should be observed that in what the right hon. Gentleman had said he had spoken not of the future, but of the past. These had been his words—

> "It appeared to him that political economy had been dethroned in that House, and that philanthropy had been allowed to take its place."—[3 *Hansard*, ccxxxv. 564.]

The right hon. Gentleman ought not to make general charges of this kind without bringing any particular instance before the House. There were many who thought that these "terrible" measures which he denounced had never had any existence at all in fact, and were a squadron of Legislative Flying Dutchmen. It was just possible that what his right hon. Friend might have had in view might have been the introduction of exemptions from the income tax. He should not have thought of this had it not been suggested to him, because the policy of exempting a portion of the smallest incomes from the income tax was a policy which had received the support of the right hon. Gentleman himself. It was in 1864 that the policy had been introduced. In 1872 the Cabinet, of which the right hon. Gentleman was a Member, extended the amount of the abatements, and the number of incomes to which it applied. Another extension took place in 1876. The House would observe that the introduction of the principle went back before the Reform Bill of 1867, and that its extension did not immediately follow upon the Dissolution of 1868. On the contrary, until four years after the General Election, nothing at all in that direction had been done. He thought that it was a far-fetched argument to ascribe the change that had been made in 1872, or the change that had been made in 1876, to the working of an extended suffrage, because in neither case did the change either immediately precede or immediately follow a General Election. But, if he were wrong, it did not lie in the mouth of the right hon. Gentleman to use that argument. It was the Government of which he was a Member which had extended the exemptions in 1872; and when they had been again extended by the present Government in 1876, the right hon. Gentleman had not either divided the House or offered a single word of protest against the change. He had said that in the division of last year 220 Members had voted for the Resolutions; 276 Members had voted the other way. Taking the electoral weight of those Members' votes into consideration—that was to say, assigning to each Member the number of voters represented by the total number of voters in his constituency, divided by the total number of Members who represented that constituency—the 222 Liberal Members who, counting Tellers, had voted in the minority in that division, had represented 1,215,151 electors; and the Gentlemen who had voted the other way—that was to say, the 275 Conservatives, plus the two right hon. Gentlemen and the noble Lord—the 278 Members, including Tellers, of the majority, represented 1,083,758 electors. That was to say, that although the Liberals had been beaten by a majority of 56, they had represented, nevertheless, on that division a majority of about 132,000 electors. This fact was a remarkable illustration of that inequality in the existing size of constituencies, of the effects of which he had so often in that House complained. He would not weary the House with electoral statistics to show the absurdity of our existing electoral system, which in one borough allowed 76 electors to return a Member to that House, and in another a candidate who received 21,000 votes to be defeated. He had placed such statistics so repeatedly before the House that he felt it utterly useless to add anything to what he had already said in many previous years. The Motion which they made that day applied to the three Kingdoms. He claimed the vote of the hon. Gentleman the Chairman of Committees (Mr. Raikes), who, on the 26th of February, 1869, had made a great speech on representative reform in Ireland. He had called the present Irish Parliamentary system "a mere mockery of representative institutions," and had used many other hard words with regard to it, which he recommended hon. Members to read. Surely in these present days, when the Conservative Party had taken to holding public meetings in all the larger towns, and when they claimed for the first time for many years to have a majority of all sections of the people upon their side, they ought not to be afraid of Parliamentary Reform. No doubt it was not necessary to them. They had their majority, and they could do without it. But if they could be brought to the belief that an equalization of the franchise throughout the land would rest the institutions of the country on a stable base, they need not, at all events, be frightened at any prospect of the change being accompanied by Party danger to themselves.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it would be desirable to establish, throughout the whole of the United Kingdom, a Household Franchise similar to that now established in the English Boroughs,"—(*Mr. Trevelyan*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. LOWE: Mr. Speaker, there are three degrees of comparison. It may be—perhaps it is—a foolish thing for Members of this House, who have the enormous advantage of being allowed to address it, to diversify the leisure of their vacation by writing articles in the Reviews. It may be a foolish thing to do; but it cannot be a wise thing for Gentlemen who wish to impress the Members of this House with the idea of their great earnestness upon the questions they bring before it, instead of adducing arguments in favour of their views, to take up the time of the House in criticizing the articles in the Reviews. I am quite sure that the acme of pessimism would be reached by myself were I to follow their example and take up a minute in defending myself against anything they are pleased to say with regard to my lucubrations. I value too much the time of the House and the opportunity I have of addressing it; I hold the question to be much too important to spend time on anything relating to myself. I accept with all humility the castigation I have received; and, as I cannot address the House long, I hope hon. Members will excuse me if I address myself to what I deem to be the great questions raised by this Motion, which are assuming larger proportions every day. What I have always held is, that there is a wonderful poverty of reasons in favour of this measure. I have listened to a great many speeches, and, so far as I can tell, the only arguments in favour of it which seem to be relied upon at all are these—that there is a great desire on the part of a large number of people to be admitted to the franchise, and that there are a great many people already admitted to the franchise who are not a bit more fit to exercise it than those who are excluded from it. There is also something thrown in occasionally; an occasional denial, and an occasional assertion, as it suits the exigencies of the argument, of the rights of man. These, so far as I know, are the arguments relied upon; but I do my two hon. Friends too much credit when I say they have relied upon them because they have offered to the House no argument at all, but only a criticism of my unworthy lucubrations. They have advanced nothing that would assist the House in forming a judgment as to whether the measure is desirable or not. I will not imitate their example; but I will endeavour to show the reasons why I think they ought not to succeed in the Motion to-night. The objection to the arguments usually relied on for reducing the county franchise to the level of the borough franchise is that it will be just as valid as ever for immediately reducing the franchise still lower, because it will still be possible to urge on behalf of the unenfranchised the wishes of the people, the rights of the people, and the expediency and propriety of equality. If you do what is proposed, there will still remain persons who will wish to have the franchise; there will be a great number who will wish to have it; there will be people who will think they have a right to it, and that equality ought to be extended much further; and, above all, there will be people who will say that there will be no justice in the world until there is absolute equality among all men. Therefore, if we were to concede all that is asked for, the only effect of the concession will be we shall have established this as a leading and guiding principle by which we are to be actuated, and made it so much easier to have the franchise lowered still further. This will be a precedent in their favour, because there will remain people without the franchise as fit to have it as those who have got it; and how can you, with any semblance of justice, refuse it to them? So the matter will go on, strengthened enormously by the precedent set on these grounds, until we arrive by necessary gradation at universal suffrage. I maintain that a good and valid argument ought to be an argument which, as it were, defines and limits itself, and not one which admits of a much wider application than those who use it choose to admit or acknowledge; and that when you argue for a reduction of the borough franchise on reasoning, that would carry you just as well to universal suffrage, you are not merely arguing for the reduction of the borough franchise, but you are paving the way, and doing the best you can, towards accelerating the momentum which is carrying us downwards to universal suffrage. I also maintain—with great deference to hon. Gentlemen who confine themselves exclusively to that kind of argument—that there is another side to this matter. It is not a question of what people want, nor is it a question of equality; but it is a question of the public good. What you have to show is, not that people want this thing or that, or that the people are fit or unfit for exercising it, but that the safety and the welfare of the Empire will be promoted by your proposal; and that is a thing which I have never yet heard that anybody has at all attempted to prove. One great argument which is used is that the present state of things is anomalous. Well, but if you look at the matter from the side of the public good, and not merely from the side of the people whom you wish to enfranchise, an anomaly may be a good thing, and it may be a great deal better than uniformity, which may be a very bad thing. What we desire, or used to desire, for the House of Commons is that it should be a fair representative of everything in the community, and not of particular classes only—that everything should here have its spokesman and its advocate, and that everything should be, as far as possible, evenly balanced. Therefore, with that view, I can understand that, so far from uniformity being a good thing, it may be an evil thing; and so far from an anomaly being an evil, it may, under certain circumstances, be a great good. And now what is the real pith of the whole matter? The Motion of my hon. Friend the Member for the Border Boroughs proposes that we should extend the borough franchise to the county constituencies, and that we should have a re-distribution of seats—that is to say, in the first place, that we should give to one class, and that the poorest and the least educated in the community, a preponderating influence in a great many constituencies; and then that we should re-divide the Parliamentary representation, so as to give that class a preponderating influence in all the constituencies. I want to point out to the House how this matter stands. The proposal is that we are to give to one class of the community, which is the poorest and the least educated, not the franchise merely, but an absolute control over Parliament. Even if we were to stop at the point which is now proposed, what candid man can doubt that that would be the practical result of the measure? But we should not stop at that point. Nobody supposes that we should not be carried further, and there would not still be persons—perhaps the very persons who now argue that this is a final measure—who would say that, having given so much, it was not worth quarrelling about the rest, and that we should satisfy the just aspirations of the people by giving them universal suffrage. At any rate, no candid man will dispute but that what you are really doing is placing in the hands of one portion of the community the whole power of the community. The House of Commons has engrossed to itself almost the whole power of the State. The Crown has long ago given up its veto on legislation; and, since the Reform Bill, the control exercised over the House of Commons by the House of Lords has become very much restricted—almost the whole power of the State, legislative, administrative, and executive is really exercised by the House of Commons. You are going to take away that power—or to do what exactly comes to the same thing—from the hands in which it is now vested, and to place it entirely in the hands of the lowest class of voters in this country—in the hands of the least educated, the poorest, those who have the most wants—and who are the most easily deceived and led away. No fair-minded man can doubt that that is the necessary result of the course we are asked to enter upon. I cannot consent to follow those who argue this matter as if it were a mere question of going down to a particular point and no further. We have had that sort of thing before. We know, for instance, that the Reform Bill of 1832 was to have been a final measure; but, afterwards, Ministers over and over again introduced Reform Bills because the first one was popular, and it was thought that others would be popular also. We had the measure of 10 years ago which, too, was to be final. There was, however, no finality in it; it has only called for this proposed change; and, as certainly as this change is granted, you would be asked to make still further changes, and you would be weaker to resist them than you were before. You are immensely weaker by what was done in 1867, and you will be immensely weaker by what you do now if you accept this proposal. Therefore, I say the question now at issue is nothing less than this—whether you are to hand over political power in this country to the poorest and least educated class. And observe this. Whatever the rights of man may say about a man having a right to the franchise, the rights of man, as I conceive, do not touch the question of the manner in which we decide questions in the House of Commons. Our principle of deciding questions in this House is evidently founded on the principle that the Legislature is believed to be a faithful representation of the country—of the whole country—and that all classes meet on an equality. That is the only ground on which we can justify for a moment the principle on which we take our divisions. For what is our method of dividing in this House? It is not that the majority has a certain power over the minority; but that the majority is everything, and the minority is nothing. The majority is like a large quantity in mathematics, and the minority a small one which is neglected. The minority is neglected, and ceases, as it were, to exist. Now, there might be no particular objection to allow persons of any class of the community, higher or lower, to be represented if it was not that, from the very necessity of the case, being the poorest, and, therefore, the most numerous, they would become absolute masters of the situation, and all other classes of the community would be outnumbered by them. That they would become absolute masters of the whole community is so perfectly clear to me—it may be from some of those moral and intellectual defects in my character which have been pointed out—that I cannot see how the matter admits of any doubt. But let me go by steps. If I have succeeded in showing that the proposed enfranchisement of the lower class, particularly when coupled with a re-distribution of seats all over the country, would necessarily place the power of government in the hands of that class, then the next question we have to consider is, whether they will use that power, or will they not? Will the class so enfranchised act vertically or laterally? Will they attach themselves to leaders of the higher and upper class, and be content merely to follow them; or will they, instead of acting vertically, be cut across laterally and form a compact body which will control and influence, as it must do, the whole power of Parliament and the State? I do not say that it will happen immediately—it may take a considerable time before it does; but unless human nature is much altered for the benefit of the House of Commons, I say it must happen. You will have a vast body of men with power in their hands if they choose to make use of it. And why are you to suppose they will not use it? Perhaps they may at first be wanting in union and cohesion, and it may take some time for them to understand what their power is; but there are those who will make it their business to enlighten them on that head. There would be no pleasanter thing for certain gentlemen who are eloquent, ambitious, and not over scrupulous than to inform the lower classes of their power and how to use it. I remember seeing in Australia a man who was much ill-treating five or six bullocks and driving them sorely. Another person who was looking on said—"Lor', sir, if these bullocks only knew their own strength, what would become of that man?" Fortunately, we have not yet found a language by which to inoculate bullocks with the secret of their strength; but it would be easy to find a language by which to inoculate the lower class. I do not make any charge against the lower class—I do not speak against them; but I object to any class, high or low, having the whole political power of the State. Be it a plutocracy or a democracy, the objection is the same. No one class is fit to govern by itself. Before the time of the Reform Bill a legion of rotten boroughs existed, and numbers of persons were willing even to brave the dangers of a revolution rather than give up that system. And, later still, did we not see a number of gentlemen turn against a great Minister—the late Sir Robert Peel—because at a period of sore famine, when hundreds of thousands of our people died from starvation, he sought to abolish the Corn Laws? If such was the conduct of the upper class, why are we to expect the lower class to show a different spirit? The higher class may have been able to communicate together more readily and understand their power better than the lower class; but there will be gentlemen found who will remove that little difficulty, and who will make the lower class perfectly *au fait* in all these things; and no doubt they will learn how to use their power most efficiently. I repeat that I impute nothing bad or disgraceful; I only say what people will do when they know that they have power. If they have it and do not use it, it is because they do not know they have it. If they have it, and know that they have it, they are sure to use it if they think they can get benefit from it. I think I have made out my case that if you determine to lower the franchise it can only have one result, and that is to place power in the hands of the poorest and least educated class in the community, to the exclusion of all the other classes put together. Secondly, having done so, you cannot expect—unless you attribute to them greater virtue than there is in human nature—that they will not avail themselves of the power you have placed in their hands, as they have done in America, and then you will find in England, as you find in America, that wire-pullers are above the statesmen, and will govern the nation. Let me mention one illustration of what I have said. Hon. Gentlemen are aware that the votes in joint-stock companies are given according to the quantity of stock held by an owner. Suppose that we passed a law to alter that, and to say that anyone who has a single share in a joint-stock company can have as many votes as a man who has 100 shares; what effect would that have on joint-stock companies? The effect would be that they would all dissolve and cease to exist. That is not true of the Government of England, for we cannot dissolve and destroy the Government of England, and the result, therefore, would be that the people who had the least stake in the country, who were the least educated, would be the masters of the situation, and the intellect and all that adorns the legislation, and gives strength to the nation in its Legislature would be trampled under foot. I beg now to point out another matter, which is this. We hear nothing on these occasions but praise of the lower classes. I am not going to say one word against the lower classes; but I say that, low or high, I do not want to be governed by one class. I have been taunted to-night with saying that the House deals with the question of Reform in a manner totally different from the way in which it deals with other questions. Just let us look how that applies to this matter. What is the opinion of the House, judging by its legislation and conduct, in regard to those who are called the lower classes—I mean those who earn their bread by daily labour? If we look at our Statute Book, we find that a man is not allowed to be a common juror unless he has got £20 in land, or is rated to the amount of £20. Why is it, if, as my right hon. Friend the Member for Greenwich (Mr. Gladstone) says, the poor judge of so many questions better than the rich, that we exclude the poor from the jury-box? There is another case still more striking. Rich people who can get into debt to the amount of £50 are allowed to become bankrupt, and becoming bankrupt are saved from arrest, which, notwithstanding the so-called abolition of imprisonment for debt, is an extremely important privilege. But why is that privilege not to be enjoyed when the debt is under £50? I cannot say why. I suppose that limit was imposed under the belief that if the poorer classes could get rid of their debts in this manner, they would never pay their debts at all. At any rate, whatever the reason, when we try to mend the matter in Parliament we have failed to do so; and it shows that Parliament, and this Parliament, draws a strong and decided line in its own mind between persons who are possessed of a certain kind of property and those who are not. But the most striking case of all is the case of spirituous liquors. Look how we treat the persons of whom we are speaking—those who are below us—the persons against whom our legislation as regards spirituous liquors is directed. What is our legislation? In the first place, we put on a duty. That may be reasonable enough. Then we license the places where liquor is sold, and create an artificial monopoly in order to make it difficult for them to get it; and then, beyond that, there are all sorts of schemes for making it more and more difficult. We wish to prevent these people from buying these things from a retailer and consuming them in their own houses. That certainly is very striking. The facetious Baronet the Member for Carlisle (Sir Wilfrid Lawson) began the new year by making a declaration in favour of lowering the franchise; but the hon. Baronet is entirely in favour of depriving these poorer classes of the facility of obtaining stimulants of any kind. Now, it is said of Lucretia—"If she was chaste, why was she killed; if she was unchaste, why was she praised?" Well, I would like to put this to the hon. Baronet. If these men are fit, as he says, to manage the affairs of the State, why are they not fit to regulate their own meals? If they are not fit to regulate their own meals, are they fit to regulate the affairs of the State? I apologize to the House for having detained it so long; but I cannot help asking for its indulgence a little longer. I would venture just to point out how utterly inconsistent this is. Just look at the feeling that has been excited in this House by what has been passing in the East of Europe—the anxiety—the honest anxiety—and almost the agony of suspense, in which so many of us have been, with regard to the possibility of Russia obtaining possessions from which she might seize on a position which might materially influence something else that is some 10,000 or 12,000 miles off. It is not the time at present to discuss the propriety of that view; but, at any rate the things to which it refers, compared with the great national interests of this country, are small and remote. Even if some things were done which we should dislike, they would be, after all, remediable, for foreign political affairs are constantly changing, and opportunities would be afforded of regaining what we had lost. But while we are in agony about these affairs, we view with great indifference, as it seems to me, as a matter scarcely worth thinking of, this most serious and momentous question, which is nothing more nor less than taking away power from those who now wield it in this country and placing it in the hands of a class unknown, untried, and only to be remarked upon as being, from the necessity of their poverty and their daily labour, the least likely to discharge this duty satisfactorily to the State. What may be done in the East of Europe is comparatively small in its consequence to us compared with the total, the entire revolution by which you propose to place in the House of Commons, as the governing body of this country, without the possibility of displacing them, in any way, short of revolution and violence, persons utterly untried in legislation and government. That step once taken admits of no recall whatever. There is no means of remedying it in any way. If hon. Gentlemen will just consider the two things, I think they will be led to the conviction that, while we all have, perhaps, attached as much importance as it was worth to those transactions with regard to Russia, we have been guilty of not considering, one-hundredth part as much, the momentous and enormous importance of the matter which we are discussing so glibly in this House. It is nothing more or less than revolution—not the less a revolution because brought about by remissness and selfishness, and all sorts of meannesses, instead of being brought about by violence. It is a revolution which we can never undo, and which, when once done, will part us once and for ever from the England which we are all so proud of, and whose history for a thousand years we read with triumph and joy, and leave us no prospect except that of sinking far below the level of the United States.

Mr. R. E. PLUNKETT, who had given Notice of his intention to move the following Amendment:—

> "That no further extension of the Parliamentary franchise is desirable unaccompanied by an educational qualification,"

said, he thought it was the opinion of the House that this question should not be treated as a Party question. The hon. Member for the Border Boroughs (Mr. Trevelyan), in referring to the Amendment which he had placed upon the Paper, but which the Forms of the House would prevent him from moving, was mistaken in assuming that it showed a desire on his part to establish an educational franchise. His object in placing that Amendment upon the Paper was simply to set up the minimum test of reading and writing, which all must pass before they could be allowed to vote. What he proposed now to do was to put before the House what would be the result of the proposition of the hon. Member for the Border Boroughs if it were carried out. He must ask the House to listen to a few statistics which he had collected with some trouble from different Censuses and Parliamentary Returns. He assumed that the hon. Member did not, amongst the other changes he suggested, propose to increase the number of the Members of that House; because, even with the present number, if every hon. Gentleman were to occupy merely two hours of their time each Session, the result would be that, with the House sitting eight and a-half hours on ordinary days, and six hours on Wednesdays, the Session would last eight months and three days, exclusive of holidays. He, therefore, proposed to deal with the subject of household suffrage as it would affect the House, as at present constituted. There were in England and Wales, according to the Census of 1871, 1,814,684 houses in boroughs, 2,444,433 in counties. Household franchise in these boroughs gave 1,250,019 voters, and at the same rate in counties it would give 1,685,815 voters. There were in Scotland, according to the same Census, 99,706 houses in boroughs, against 312,479 in counties. Household franchise in the boroughs gave 175,984 voters, and at the same rate in the counties it would give 546,837. In Ireland there were, according to the same Census, 121,613 houses in boroughs, 839,767 in counties. The present franchise in the boroughs gave 49,025 electors, and at the same rate it would give in counties 335,906. The whole electorate would then be—Of England and Wales, 2,935,834—an increase of 884,706; of Scotland, 722,821—an increase of 466,058; of Ireland, 384,931—an increase of 160,467;—making a total increase of 1,511,231. But England and Wales had 484 Members, so they would average 6,065 electors each. Scotland's 58 Members would average 12,462 each; Ireland's 101 would average 3,811 each. This calculation was made throughout to exclude University Members and their electors. This would be the result of the measure which the hon. Member for the Border Boroughs had introduced to meet the inequalities arising from the present distribution of the franchise. But if the hon. Member went back to his former proposal of equal electoral districts, then he would point out that under that system England and Wales would have 467 Members, Scotland 115 Members, and Ireland 61 Members. Or if he would not interfere with the representation of counties, but would distribute the seats of each country equally within its boundaries, England and Wales would have 278 county and 206 borough Members; Scotland 44 county and 14 borough Members; Ireland 88 county and 13 borough Members—that was to say, 191 borough seats must be thrown into the counties, and he was almost afraid they might lose the hon. Member for the Border Boroughs. In touching upon the question of education, which, it might be said, was the theme of his Amendment, he should be met on the onset with a difficulty; because, although they had ample Returns with regard to the educational qualifications of children, they had none with regard to those of the persons whom it was now proposed to enfranchise. The best evidence he could obtain with regard to the educational qualifications of that class was that furnished by the Returns of the Registrar General, which showed the number of persons who signed the marriage registers with a mark, they being unable to write. The last Returns on this subject for England and Wales were those for the year 1875; but the latest Returns for Scotland were only down to the end of 1874. The only Scotch statistics for the year 1875 appeared to relate to the number of illegitimate children born in that country. The number of such children born in Scotland appeared to be remarkably large; but it was explained that although the number might be large the children were not so illegitimate as they would have been if they had been born in this country. If hon. Members desired further information in this direction, the Returns showed the number of children in Scotland who had been vaccinated. Taking the number of males who had signed the register with a mark in 1875, he found that the percentage so doing in England and Wales was 17·2; in Scotland about 9; and in Ireland 30·3. The illiterate among the proposed new voters would show a much higher percentage than these figures did; because this calculation was made from the marriages of all classes, while the new voters would be taken exclusively from the lowest class. Therefore, when they thought of the 884,706 new voters who would be added to England and Wales, they must put the wholly illiterate among them much above 17·2 per cent. In Scotland the addition would be smaller and the illiteracy less, though yet an addition of over 51,000 voters unable to sign their own names was a very serious matter. In Ireland, where the percentage through all classes of married men was 30·3, the ignorance of the 160,467 whom this measure would add to the Parliamentary Register would be terrible. At 40 per cent there would be over 64,000 among them who could not sign their own names. If of the present voters 20 per cent were illiterate, there would be under this measure 205,359 illiterate voters in a total electorate of 335,906. Thus the objection against this proposal was not the old one that the new electors would outnumber the old, but that the whole body of voters who had received any education at all would be immensely outvoted by those who could not sign their own names. And this was the scheme of an enlightened Liberal, who had introduced a measure which would be the apotheosis of the illiterate voter! They had heard a great deal whenever this measure was discussed of the agricultural labourer. But the agricultural labourer in this question was only the stalking-horse of the trade unionist. If they enfranchised every labourer to-morrow, all they would have done would be to put every county seat where there were mines or mills into the hands of the unions. The editor of the trades' union organ said the agricultural labourer would be a mere "chip in the porridge pot." The agricultural labourer, the shepherd, the carter, were scattered abroad in the fields and on the hills, and they would not sacrifice a day's wages to go to the poll. The miners and operatives were collected round centres of industry, polling-places could easily be placed within their reach, and they could vote after work or in the dinner hour without losing pay. It was true that in France they polled the agricultural population on Sunday; but he did not think that plan would find many supporters here. While the supporters of the views held by the hon. Member for the Border Boroughs were talking of the merit—which their opponents did not deny—of the agricultural labourer, they were throwing the ultimate government of the country into the hands of trades' unions. And had their management of their own affairs—of which they might be supposed to know something—been such as to encourage Parliament to commit to them the guidance of the country in affairs of most of which they could know nothing? The right hon. Gentleman the Member for Greenwich (Mr. Gladstone), who had taken a great interest in the working classes, had spoken of their "teachableness." No doubt he found them docile—

> "Movit Amphion lapides canendo."

But it was the voice of Amphion that moved the stones, the hand of the master that swept the lyre. The change they were asked to make was irrevocable, and when they missed

> ". . the touch of a vanished hand,
> And the sound of a voice that is still,"

might they not find that stones were somewhat stolid after all? And was the experience of the right hon. Gentleman—exceptional as it was—a fair criterion in other ways? The lesson which he had had to teach had been to urge men to ask for this gift—to accept that offer. There was a predisposition in human nature to be docile in this direction. But let the right hon. Gentleman take a fairer test. It had been urged by a Member of his own Cabinet, that those whom on one night of the Session they were assured might not only be safely entrusted with overwhelming political power, but were actually entitled to sway it, were, when a Licensing Bill was before the House, represented as being helpless wretches, without manhood enough to carry them past the doors of a ginshop. If, then, their workmen were so teachable, let the right hon. Gentleman put an end to this taunt for ever. Let him persuade them to accept a greater boon than any statesmen had ever yet conferred upon them; happiness for their families, health for their children, manhood for themselves. The manhood of self-control would be a greater blessing than manhood suffrage. But if the right hon. Gentleman could not persuade men to control themselves, could Parliament accept them as fit to outvote their fellow-subjects and control the country? The workmen of this country had before them a matter to solve which would tax all their powers, and they must solve it for themselves. They had been petted and abused, flattered and befooled; and the result had not been to their advantage. Let Parliament give them decent houses and pure water, educate their children, and give them a fair chance of finding the solution of the labour question. Confuse it with a sudden flood of political power, and the Legislature would have undone all the teaching of past prosperity and present distress; it would send the working classes on a worse wild-goose chase after high wages by Act of Parliament than they were ever led by trade unions. People talked of the great Reform Bill and the good it did. That Act was fairly won by the people, as all the privileges of the House of Commons had been slowly won; and the long struggle which deserved that triumph was in itself a political education. But would anybody presume to say that, reading the grounds upon which the claims for that Reform Bill were based, he saw such grounds for one now? Could anyone advance arguments now which those who carried that Reform Bill would have deemed sufficient? As far as that Reform Bill bore upon the case, it was an argument against the proposition of his hon. Friend. That was an enfranchisement long fought for and fairly won; it was sparingly given, and it worked well. The Reform Bill of 1867 was granted more lavishly and of a less necessity, and it had worked less well. That which was lightly won was lightly held, and every Member knew how hard it was to bring electors to the poll. Now, on weaker pleas than any extension of the franchise had ever yet been asked, a larger extension was sought than had ever yet been granted. It was useless to plead that Parliament had already gone so far that it must go farther. If it was urged that they should have stopped before, *à fortiori*, they should stop now. If it was said that the extension was right before, therefore it would be right now, the argument amounted to this—" You have a small educated class; the power originally wielded by this is now shared by a much larger class, very imperfectly educated. It will make no difference now how large an uneducated mass you add to this. You have watered your wine, pour the whole Thames over your glass, it is all equally water." Yes; but what of the strength at last? It was well that the foundations of the Constitution should be broadly laid; and to give the comparatively uneducated any influence at all they must have given to them numerical strength. An oligarchy, even of the wisest, cramped the free growth of the nation. It had itself a tendency to narrowness and selfishness, from a want of that large intercourse with the people which gave a broader view and a wider humanity. And as long as the numbers of the comparatively uneducated were not so large as to put them beyond the reach of political education, they might be intrusted with a share of political power. It was only when this limit was exceeded, when the political unit was no longer the man who might be taught, but the association, the interest, which would hear no reason and feel no shame—then it was that the danger arose. Then they had overdone their franchise; then they had enthroned the caucus. To avoid one oligarchy of the best, they had set up a hundred of the worst and the most impracticable. This was the difference between the effect of extending the franchise as the necessity arose, and squandering it from Party jealousy or for the theories of *doctrinaires*. It was urged that though those who had the franchise were slack in using it, there was an earnest desire for it among those who had it not. This was not in accordance with his own observation as a Representative of over 150,000 constituents; but if there were this earnest desire let them turn it to account. They had a difficulty in getting children to school. To meet this they had provided that under 14 no child should work until he had passed a certain educational standard. They had also decided that no man who was supported by the rates should have a vote. Yet they did not undertake to provide him with an opportunity of earning an independent livelihood, while they did provide every child with the opportunity of being educated. Might they not, then, fairly impose upon every future extension of the franchise the condition that every voter should, at least, be able to read and write? But the measure advocated by his hon. Friend would flood the constituencies with illiterate voters. He had already shown that it would add over 64,000 illiterate voters to Ireland, where already among the men who married 30 per cent were illiterate. Surely, when they considered that with the last generation this state of ignorance would pass away—that the children of these men were now receiving a good education—they might refuse to give to the uneducated parent that which the educated child would soon be ready to receive. By this measure they were asked to squander the franchise, and to pauperize the political energies of the people. They were often referred to America as an instance where the most extended franchise worked well. Nothing had so firmly convinced him of the inexpediency of this measure as a study of the question of franchise in America. It was allowed on both sides that Parliament had deteriorated; that the present Parliament had less power of getting through business than those of earlier date; and that there was more talk and less work. During the existence of the present Parliament they had had to curtail those privileges which were not abused before; and at the present moment a Committee was sitting to discuss the means which should be taken—well, to enable the House to do something in the course of a Session. It was in no disrespectful sense that he made these remarks. He felt that the blame must mainly rest with those who, like himself, were comparatively new Members of the House. But wherever the blame be laid, the fact remained. Simultaneously with the extension of the franchise Parliament had deteriorated. He said simultaneously; he did not yet allege causation. Now, let them turn to America. In race, the people were very much like ourselves; in education, they were our superiors; in public spirit they certainly were not behind us. But they had realized that dream of our Radicals — universal franchise. And what of their Parliament? If an Englishman wanted to insult an American, he might ask him if he was a Member of Congress. He did not for a moment say that there were not in Congress men deserving of the greatest respect—men whom he himself respected highly. But, speaking of the system, not of the men, he must say that there was no American who would compare the House of Representatives with the English House of Commons. Why, in America, to call a man a "politician," was to apply to him about the worst term that could be used in polite society. But he need not rely upon the sentence of society. The jealousy with which the powers of Congress were circumscribed, and the way in which all power over the Executive was removed from it, sufficiently proved the comparatively low estimation in which it was held. And had not the country suffered from this? The Civil War of 1860—which Englishmen were apt to talk of loosely as a war between slave-owners and liberationists—was really a struggle for political power. It was the "politicians" who raised that war; and but for them North and South would have shaken hands before half that awful struggle had been endured—before half those lives had been sacrificed. What that war was — in which more men were killed than a European nation could put into the field; in which one side fought on, the wounded coming back as soon as they could march at all into the ranks of regiments formed out of the remnants of those who began the war, till none were left to fight—none could realize who had not visited those battle-fields and lived with those who fought that war. That was the effect of universal franchise among the Whites. During the war it was necessary, in the extremity of the crisis, to enfranchise the whole population, and what had been the effect of this? They again saw the South and West holding a preponderance of political power. The whole result of the war was being undone and the credit of America—upheld through all that awful struggle—was shaken by an act of repudiation. Surely the English House of Commons would do well to take warning by that fact. He did not wish to push the argument to any unfair extent, nor did he pretend that manhood suffrage had ruined America, though it had cost her dear, nor did he think that even that could ruin England. He believed that there was in both countries a life which no misgovernment could kill—that each had a high destiny to fulfil. But when they saw a people with all the public spirit of Englishmen and more than English energy, a people who spoke with generous admiration of our public men and of our Parliament—when they saw that in such a people the best and noblest could take no part in politics; that those who directed all its enterprises had no voice in the government of the country, he thought they were bound to confess that America flourished in spite of its system of representation. He was in New York when the Silver Bill was introduced. At a public dinner given to Mr. Morgan there were collected the proprietors and chiefs of nearly every great enterprize in the country. Could the men in that room have been suddenly removed from the country, the whole trade of America would have been paralyzed. The Silver Bill was discussed after dinner, and every speaker thoroughly condemned it, with the entire concurrence of the whole assembly. He thought that such a declaration of opinion from such men would have settled the question. In this country it would have done so at once. But on asking the gentleman sitting next him whether this would be the case, he said that it would have no effect at all upon the politicians at Washington. And so it proved. The men whom he met that night might make the country; but they could not protect their own credit against its representatives. Before he left New York he witnessed a State Election, and found all Fifth Avenue constrained to vote for the keeper of a poker hell in

Broadway in a vain attempt to shake off the yoke of Tammany. But America had realized the full blessings of the Radical programme—universal franchise, paid Members, and the omnipotent caucus. If the hon. Member for Birmingham (Mr. Chamberlain) went to America to-morrow he would find nothing wanting to his organization. Should the time ever come when the Radical programme would be carried out; when the free Constitution of this country was throttled by the organization of the Birmingham League; when boroughs should no longer select their own Members, and the paid delegates should have succeeded the Knights of the Shire—England, he thought, might look back with regret to those days when they sat there, pledged to no platform, nominated on no tickets, but bound by private honour and by public faith to use that judgment God had given them, and to support that policy which might best promote the honour of their country and the welfare of mankind. They were called upon to use that judgment now. A question was before them which must not be trifled with. This was the last step which separated them from universal suffrage—the last place where they could make a stand against mob rule and the political annihilation of all those who had one single qualification which had as yet been thought necessary for the franchise. In conclusion, he wished to state that he had spoken in no Party spirit and made no attacks on any Member of the House, and therefore had aroused no feeling against the views which he had advocated. He had not consulted his Friends around him; but he believed he had spoken the sentiments of the great majority of his hon. Friends, who would give an independent vote on the question. For his part, he could not believe that what would debase our Parliament could be a benefit to our country.

MR. O'REILLY gave the right hon. Member for the University of London (Mr. Lowe) credit for a thorough and consistent opposition to this question, and the real vital argument he had used against it was that it would hand over the government of the country to a class, and the right hon. Gentleman objected to be governed by a class. That argument could be used against the enfranchisement of any numerous body, and the only logical result of such argument was that classes should be represented, and not bodies of electors consisting of all sorts of people. He did not think that the right hon. Gentleman would go so far as that. The question raised was a practical one, and it was assumed that the class which it was now proposed should be enfranchised would vote together against all the other classes of society. He had heard the same remarks made by the right hon. Gentleman with greater confidence and more positively asserted before the Reform Act of 1867 was passed; but experience showed that the people enfranchised by that Act had not voted altogether against the classes above them, but they had sent a Conservative majority to this House, and he might take it that the Conservative Party represented the higher classes and the wealthier classes of the community. The hon. Member who had last spoken said the extension of the franchise would place the affairs of the country in the hands of the trades' unions; but they all knew that trades' unions were not numerous in the country districts. They were told by the right hon. Gentleman (Mr. Lowe) that his prophecies would come true sooner or later, and this sooner or later was now introduced by the right hon. Gentleman for the first time. In 1867 the threatened evils which he predicted were to immediately follow the passing of the Act, but they did not come, and now he said "sooner or later." They had extended the franchise to householders in the boroughs; why would they refuse it to householders in the counties? Why draw a hard-and-fast line—for that was what it was—between the boroughs and the counties? Speaking of the householders in the Irish counties, he could say that those who would be admitted by this proposal would be found exactly of the same class as the present holders of the franchise —neither better nor worse; and such, he believed, would be the result in the English counties. There was no class less likely to vote as a class than the county householders; and, perhaps, there was no class in the country more leavened by the influence of those among whom they lived, and who were above them, than the section of the population to which it was now proposed to extend the franchise. He could not conceive of a single class interest for which they would combine. Of course, it was to be expected that America would be paraded in this discussion. He was not going to defend America; but he ventured to say, as far as he had been able to study the matter, that the root of the evil in America was, not so much the extension of the suffrage, as the unfortunate state of the Civil Service of America. That, too, was the evil in France, a country which, however, had recently given this country not a warning, but an example. He was in France during the whole of the late eventful struggle, and it was the first time he could remember that she had settled a great political crisis, at the polling booths; and the one thing which preserved France from violent action, besides the intrepid and unbending honesty of her President—an honesty which would not swerve either from the right or the left —was that spreading and abiding belief of the whole people that whatever change they desired would be obtained at the polling-booths through the extended suffrage. Those men who in old days built barricades in the streets, crowded to the polling-booths, and saved the country from the threatened revolution.

Mr. LOWE wished to remind the hon. Member that, with regard to France, what he had said was this. During the whole period of the rule of Napoleon III. France was in the enjoyment of universal suffrage.

Mr. O'REILLY said, he was thankful for the reminder; but during the period referred to universal suffrage never felt free, never felt the power of carrying out its will through the vote. He believed that the classes to whom it was now proposed to extend the suffrage were, to say the least, quite as fit for it as those who had already received it, and that they would use it wisely. A low educational qualification would, he thought, have a detrimental rather than a beneficial effect; and, as regarded redistribution, some method ought, in his opinion, to be adopted which would remedy the defect of majorities only being represented, and would secure to intelligent minorities a fair share of political representation. He believed that the more voters were introduced to the Constitution the more they would be likely to strengthen it. He was strongly of opinion that in times of danger and difficulty—and they knew not how soon they might come—the hands of the Government would be materially strengthened by the thought that the wider, the more extensive the suffrage, the more would the Government be looked on as representing the whole nation.

Mr. CHARLEY said, he might say at once that he could not oppose the extension of household suffrage to counties upon any ground of principle. That was a statement which he had recently made to his constituents, and from the manner in which it was received, he believed that it was acceptable both to the Liberals and Conservatives of Salford. There was a principle underlying household suffrage which did not apply to the existing suffrage in counties. It was expressed in the well-known maxim—"*Qui sentit onus sentire debet et commodum,*" which might be freely rendered —"Those who bear the burdens of the State should enjoy its benefits." The enfranchisement of the compound householder was, no doubt, to some extent an infringement of that principle; but it was impossible to apply a moral principle with mathematical precision. He was glad to hear it stated that this was not a Party question. He should sincerely regret to see it made a Party question. It was not a question of Liberal or Conservative; it was simply a question of justice. He entertained the view that the suffrage was not a right, but a privilege, and that it rested with those who sought to introduce new electors into the constituencies to prove their case. After, however, having conceded household suffrage to the inhabitants of towns, he did not see on what grounds of justice it could be withheld from those who lived in counties. There would be great force in the remark of the right hon. Member for the University of London (Mr. Lowe), that it was too soon to bring forward a new scheme of Reform, if it was sought to introduce a new principle of representation. But the hon. Member for the Border Boroughs (Mr. Trevelyan) did not seek to introduce a new principle of representation; he sought merely to extend an old one. The Government, however, were perfectly entitled to refuse their support to the abstract Resolution of the hon. Member, as it failed to set forth any scheme for a re-distribution of seats—and an extension of household suffrage without a re-distribution of seats would be a cruel farce, because it would aggravate instead of remedying the existing anomalies. There were in the counties some 11,000,000 of inhabitants, and in the towns only 8,000,000, yet the towns had two-thirds of the whole representation of the country. If another 1,000,000 of voters were added in the counties without any re-distribution of seats, the existing anomalies would become still more glaring. The second Resolution of the hon. Member spoke of a re-distribution of political power; but he hoped he did not mean by that phrase equal electoral districts, to which he, for one, was entirely opposed. The hon. Member should have introduced a Bill, and have set out in it his scheme for the re-distribution of seats, and have asked the Government to name a night for its discussion. As the hon. Gentleman had put his views into the form of an abstract Resolution, and not in a Bill, and had withheld from the House all information with respect to the re-distribution of political power, he could not vote for his Motion. On the other hand, he approved of the extension of household suffrage to the counties, and he therefore should not vote against it. He must not omit to express his entire dissent from what had fallen from the right hon. Gentleman the Member for the University of London (Mr. Lowe) with respect to the humbler classes of the community. He had the honour to represent a constituency which contained, in proportion to its population, a larger number of working class voters, perhaps, than any other; and his experience was that they were better able to rise to the contemplation and vindication of great principles than the class immediately above them. In counties, too, he believed the agricultural labourers would be found to exercise the franchise for the welfare of the country at large quite as much as the artizans in towns.

Mr. MACDONALD said, he would not have taken part in the discussion, but for some remarks of the hon. Member (Mr. Plunkett). That hon. Member had spoken largely and strongly upon the American Silver Bill, and had left the impression on his (Mr. Macdonald's) mind that that Bill had become law. He ventured to say that whatever knowledge of America the hon. Member might have had when he was in that country, at present he was perfectly ignorant of the position of the Silver Bill. It had been discussed in the Senate, and had gone down to the House of Representatives, where it might be strangled. The hon. Member had spoken of the New York elections, and also of the election of a prizefighter. Now, he (Mr. Macdonald) had been at an election in New York, a Presidential election, where far more interest was excited than in any ordinary election. In company with distinguished Americans, he had walked from polling-booth to polling-booth, to the number of 32, and anything more orderly and well-conducted he had never seen. As to a prize-fighter being elected as a Member of Congress, if his memory served him aright a prize-fighter had sat in the House of Commons, a former Member for Pontefract (Mr. Gully), having been a distinguished ornament of the Conservative Benches. ["No, no!"] Well, he had qualified the statement by saying "if his memory served him aright." The citizens of New York, therefore, in electing a prize-fighter followed the example of the grand old country, whose precedents of thousands of years were not without their influence on the most vigorous if not the youngest of her offshoots. If the people had equal rights with those above them, he ventured to say that they would need no help from any class whatever. It was all very well to abuse trades' unions; but they had done great good. He was not prepared to defend all their acts; but they had certainly done much that was worthy of commendation. Let them look at what some of these trade societies had done. The Amalgamated Engineers had done a great deal to enable working men to get rid of the workhouse, to enable them to help themselves in sickness and provide against the wants of old age. The Iron-founders and other similar associations had done similar good service. His firm belief was that if the management and the *personnel* of trades' unions was compared with those of any other institutions it would be found that the comparison would be in their favour. Nay, more, if the characters of the Members, man for man, were examined and tested with an equal number of those of the class to which the hon. Gentleman belonged, he would venture to affirm they would compare most favourably with them, and exceed them in all the virtues that made society great and good. He believed the speeches made against the Bill that night would do more to aid the movement than all the speeches in its favour, and that the people of the country would soon demand, with a voice which the House would be unable to withstand, the privilege which it was now proposed to accord them.

MR. HEYGATE said, that he thought the House would agree with him that the hon. Member for Stafford (Mr. Macdonald) had wasted a great deal of unnecessary indignation on the remarks that fell from the hon. Member for West Gloucestershire (Mr. Plunkett), from his failing to appreciate their real intention, or he would not have spoken of him in the manner he did. He (Mr. Heygate) wished to explain the vote he proposed to give against the Resolution, because, like his hon. and learned Friend the Member for Salford (Mr. Charley), he thought it was a vote which did require explanation on the face of it. It was very difficult, in fact, it was theoretically impossible, to defend the present imaginary line which divided the borough householder from the county householder. He admitted, moreover, that, as a matter of fact, the county householder was often more fitted by education and intelligence for the exercise of the franchise than the man who possessed the household franchise in a borough. But because he conceded this, the reason for objecting to the Resolution of the hon. Member for the Border Boroughs was not removed. In the matter of the franchise he did not think it necessary to have an exact system. On the contrary, he thought it better to have a system containing some anomalies, since by means of them they got at the various interests of the country, and they gained greatly thereby. The best way to redress the anomalies complained of was by the re-adjustment from time to time of borough boundaries, the effect of which would be to include the strongest cases for re-distribution. The hon. Member for the Border Boroughs failed to see the real difficulties attaching to this question, and had therefore failed to grapple with them. He appeared to be afraid to show to the House the immense disturbance that would be the result of his Resolution. The great and main objection he had to the Resolution was that it was now only 10 years since the passing of a Reform Bill, which had received full discussion, and which had succeeded another Reform Bill that had lasted 35 years; and he objected to this constant disturbance of our electoral system as bad in principle, and the disturbance now proposed was a very serious one. He found from the statistics that there would be with household franchise 1,742,000 county voters in England, and 1,254,000 borough voters. At present the county voters were represented by 187 Members, and the borough voters by 297 Members. Let the House consider the enormous change which would be rendered necessary if the Resolution and a Bill founded upon it should pass. They might transfer at least 120 seats from the boroughs to the counties. In fact, it would be absurd to talk of boroughs after that; it would be an effacement of the borough system. It would be absurd to continue the freeholder *quâ* freeholder after that; or, at all events, the freehold vote would have to be given where it was found —in the borough or in the county— or it would not be "equalization." Another objection to the Resolution was the enormous increase of election expenses which would follow. He should regret the time when money bags were the necessary passport to the portals of this House; because, as the constituencies were enlarged, the expenses of elections would be greater, from the necessity there would be of increasing the number of polling places, rendering it impossible for men of moderate means to canvas the electors and bring them to the poll. It was not an uncommon circumstance for a village to be five miles from a polling place. That was a considerable walk for a common labourer; and they all knew how disinclined the great majority of voters were to lose a day's work for the sake of recording their votes. That being so, either a polling place must be provided in every village, or the voter must be carried to the poll; and whichever plan was adopted, it would entail no inconsiderable expense. In fact, the candidate who employed most legal agencies would always win. These reasons, he acknowledged, were not sufficient to justify the House in refusing an act of fairness or of justice, if such could be proved, or if any grievance could be shown to exist. But he denied that any grievance did exist. Hardly an attempt had been made to show that the interests of the rural householder were one whit less regarded now, because he had no vote. It had been said that if there had been household suffrage in the counties, the Artizans' Dwellings Act would not have been confined to towns, but would have been extended to country villages; but anyone acquainted with country districts must know that such a measure would be utterly absurd, for the worst country cottages were generally better than the worst of the dwellings in towns. Sanitary arrangements might be improved, it was said; but to establish waterworks for a small population was a different thing from erecting similar works in large towns. It had been suggested, in regard to the rural householder, that there would not have been a parish without compulsory powers for the education of children if every householder had had a vote. That statement was untrue at the time it was made; because since 1870 every parish had had the power to establish for itself a school board, and every ratepayer to vote for its establishment. For that purpose there was vote by ballot, and everything in the way of electoral machinery that hon. Gentlemen opposite could wish, and they knew how seldom those powers had been availed of. But if any difficulty remained, it had been since removed by the Act of 1875, giving compulsory powers to Boards of Guardians in districts where school boards did not exist. The noble Lord who so ably led the Opposition observed, when he changed his opinion on this subject, that "no one had directly controverted the proposition for equalization" of the franchise. Now, he opposed equalization because it was equalization. It was entirely new for the great Liberal Party to stand up for equalization. In 1859, the Government of Lord Derby brought in a Reform Bill, which was eventually thrown over, mainly on the ground of equalization. It proposed to leave the borough franchise at £10, at which it then stood, and to reduce the county franchise to the same amount. Mr. Henley, whose loss to the House they all deplored, and the right hon. Member for Cambridge University (Mr. Spencer Walpole), left the Government on that very ground. The question was taken up by the Whig Party, and relied on as the reason why the Bill should be thrown out. Mr. Henley, on that occasion, said—

> "I believe that identity of suffrage, which is the principle of the Government Bill, is fatal to the Constitution of this country. I care not whether the franchise is £10, or £15, or £5—I care not at what sum you fix it—but I hold that, if you take a paint brush and draw a line across the country, and say that all the people upon one side are to have the franchise, and all the people upon the other are not to have it, although you may have no trouble for a few years, yet as sure as the sun is in heaven you will have all the people upon the outside of the line, at some time or other, making a very ugly rush to break over it."—[3 *Hansard*, clii. 1065.]

That was the celebrated "ugly rush" speech; but it exactly proved the point now before the House. It was proposed to draw a paint-brush across the country, and to say that everybody who lived in a house should have a vote, and that a vote should be denied to a large number who would be outside that line. He objected to that proposition, not from distrust of the class proposed to be enfranchised, nor from any idea of their unfitness to exercise it, but because it was not advisable that all the Representatives of the people should be elected by one and the same franchise, a proposition which would hand over the control of every constituency to one class, because it was the most numerous class —namely, the class which lived by manual labour, and because he disliked these continual changes in the Constitution. They had not yet had sufficient experience of the last Reform Bill. Only two Elections had been held under it, and his belief was, if the last Election had not turned out as it did, they would not have heard of this new Reform Bill. It was from these reasons and particularly from a dislike of the principle of the uniformity of the franchise that he should give his vote in opposition to the Motion before the House.

MR. BARRAN, in supporting the Resolution, said, it was a question which had engaged his attention for years, and he had been very much struck and pleased with the kind, generous, and statesmanlike views of the hon. Gentleman the Member for the Border Boroughs (Mr. Trevelyan) in bringing forward the Motion. The right hon.

Member for the University of London (Mr. Lowe) had given certain reasons why people who were now seeking the franchise should not obtain it; and one of those reasons was that they would combine with their own class who were already enfranchised to carry measures which would be fraught with danger to the country. If this was a mere question of physical force or of passion, he (Mr. Barran) might be disposed to agree with him; but in this country there was a power far stronger than either of those, and he believed in the effect of the training and education which the people had had. The right hon. Gentleman seemed to him to regard the subject in the same way as those who should only consider the strength of the brute creation subjected to man—the horse, for instance—without bearing in mind the effect of training. The educational and other institutions to be found in the urban districts of the counties—in such a town as Keighley, for instance—where there was a Mechanics' Institution, Science and Art Galleries, School Board, &c.—furnished ample safeguards against the men brought under their influence using the privileges of the franchise to the injury of the nation, and they afforded a training which qualified them to assume and discharge political obligations and responsibilities. If the House looked at the anomalies which existed in connection with the present arrangements of the franchise, it must feel that those anomalies could not exist for a long time. It was impossible to maintain for ever a condition of things by which workmen might stand side by side in the same mill; and yet some, because they had to find houses outside the borough, were deprived of their votes, while their fellows who were more fortunate in securing houses in the borough could exercise their privilege of returning Representatives to Parliament. They had recently had important debates on the Eastern Question, and it might be that, in case of war, they would have to call upon people to undertake serious duties who had no direct connection with the administration of public affairs, seeing that the whole class, whether enfranchised or not, would be compelled to bear their share of the burden which such a calamity would throw on the nation. There was no question to which there was so much interest attached by his constituents as the extension of the franchise, and he hoped that something would be done in this direction, and that it would be done immediately. They were told by the right hon. Gentleman the Member for the City of London (Mr. Goschen) that an agricultural labourer ordinarily looked forward to end his days on the list of paupers. If that were so, the change which was now proposed could not by any possibility make matters worse; and it was time we tried whether political education would improve their social position and make them more independent and useful citizens. In proportion as their faculties were developed they would be elevated, and also enabled to do a fair day's work for a fair day's wage, which some could not do at present. Their present condition, as described in this debate, furnished the strongest argument for trying whether political privileges would not encourage them to entertain loftier ambitions and to emulate the workmen of the towns in securing their own advancement and independence.

Sir CHARLES LEGARD: It appears that the question of Parliamentary Reform is as likely to engage our attention for the next few years as much as it did from 1856 to 1868; and if the House and the country are determined to have another Reform Bill, I think we must be prepared to give up all other legislation, and to devote ourselves entirely to the question of Parliamentary Reform. But, Sir, I venture to think, that if this question is seriously to be taken up, it should either be brought forward by some responsible Member of the Opposition, or by the Government of the day. It surely cannot be right that a question of such vast importance should be brought forward by a private Member, however able and distinguished; but before I admit, which I do not, that this question is ripe for discussion, I should like to ask, is it necessary? Is the necessity of such a character as to justify the present Government, or a Liberal Government, in giving up all other legislation, and to sacrifice the passing of all other important and useful measures? I do not see why hon. Members on that side of the House should have any reason to fear, if it were necessary, the extension of the borough franchise to counties. But we have a great objection to the perpetually tinkering of the Constitution. It seems to me that Parliamentary Reform is the panacea for every evil. I read somewhere a story of an artist who had attained great eminence in painting, but who had directed his art chiefly to one favourite object. That object happened to be a red lion. His first employment was at a public-house, where the landlord allowed him to follow his fancy. Of course, the artist recommended a red lion. A gentleman in the neighbourhood, having a new dining-room to ornament, applied to the artist for his assistance, and in order that he might have full scope for his talent, left to him the choice of a subject for the principal compartment of the room. The painter took due time to deliberate, and then, with the utmost gravity, said to his employer—" Don't you think that a handsome red lion would have a fine effect in this situation ? " The gentleman was not entirely convinced, however; but he let the painter have his way in this instance, determined, nevertheless, that in his library, to which he next conducted the artist, he would have something of a more exquisite device and ornament. He showed him a small panel over his chimney-piece. "Here," says he, "I must have something striking. The space, you see, is small; but I must have something proportionately delicate." "What think you"—says the painter, after deep reflection—" what think you of a small red lion ? " Just so it is with Parliamentary Reform; whatever may be the evil, the remedy is Parliamentary Reform; and the utmost variety that you can extort from those who call themselves "moderate Reformers" is that they will be content with a small red lion. Sir, I wish that these theories were only entertained; but they have mischief in them. I confess at the present time I am against the smallest of these red lions. I fear the smallest would be the precursor of the whole menagerie; and that, if once propitiated by his smallness, you open the door for his admission, you would find, when you wanted to turn him out again, that he had grown to a formidable size in his cage. If the reforms to which the success of this Resolution would lead are carried, it is difficult to imagine a Constitution of which one-third part shall be an Assembly delegated by the people—not to consult for the good of the nation, but to speak day by day the people's will—which must not in a few days' sitting sweep away every branch of the Constitution that might attempt to oppose or control it. If anyone will turn to the history of the transactions in this country of Janaary 4, 1648, he will find that the House of Commons of that day passed the following Resolution :—

> "Resolved, that the Commons of England, in Parliament assembled, being chosen by, and representing the people, have the Supreme Power in this Nation."

It was then resolved, without one dissenting voice—

> "That whatsoever is enacted, or declared for law by the commons, in parliament assembled, hath the force of a law; and all the people of this nation are concluded thereby, although the consent and concurrence of king or house of peers, be not had thereunto."—[*Parl. Hist.*, iii. 1257.]

Such was the theory. The practical inferences were not tardy in their arrival after the theory. In a few weeks—on the 6th February, 1648—the House of Peers was voted useless. We all know what became of the Crown. Such, Sir, were the Radical doctrines of 1648, and such the consequence to which they naturally led. If we are induced to admit the same premises now, who is it, I should be glad to know, that is to guarantee us against similar conclusions ? Sir, it seems rather strange that this measure, which is now supported by hon. Gentlemen opposite, should always have been opposed by the Leaders of the Liberal Party when they were in power. It rather reminds me of what Mr. Wilberforce once said in this House—"that he did not believe an Opposition," &c. I cannot help thinking that there are some hon. Members finessing with the question. Surely the object of men ought rather to be to reconcile the nation to the lot which has fallen to them—surely a most glorious and blessed lot amongst nations—than to aggravate incurable imperfections, and to point out imaginary and unattainable excellence for their admiration. I can never look at this question in any Party light. Although I believe it is possible to devise more splendidly popular systems of government, it is, I believe, impossible to devise one in which all the good qualities of human nature can be brought more beneficially into action; in which property could operate so fairly with a just, but not an overwhelming, weight; in which industry should be so sure of its reward, talents of their due ascendancy, and virtue of the general esteem.

Mr. BLAKE, in supporting the Resolution, said, that in comparison with many subjects which occupied much of the time of the House of Commons, he believed that the question of the county franchise was of far greater importance. It affected the well-being of every man in the Kingdom, and would accomplish a vast amount of good. The right hon. Gentleman the Member for the University of London (Mr. Lowe) said he had heard no arguments in support of the Resolution founded upon the question of public good. He (Mr. Blake) joined issue with the right hon. Gentleman upon the point, and was prepared to argue that this was a reform which would very materially promote the public good, as all the reforms of the past had done. It had been said that this measure was not asked for by the people, and that they felt no grievance. The Prime Minister appeared to be of that opinion, because he said in November last, at the Mansion House, that "you could not get six men to meet together to pretend to discuss a typical grievance." If, however, those who used that argument had mixed with the unenfranchised classes, as he (Mr. Blake) had done, they would find that they regarded their exclusion from the franchise as a great injustice. It was certain they could never have been at any of the great demonstrations which had been held throughout the country where the right was demanded. The advocates of the measure did not desire to weaken or destroy the Government of the country, but to improve it, and to make that House in fact and reality what it was in name and theory, a truly Representative Assembly of the whole people. In no other country in the world professing to have Representative Government were there so many inequalities in the representation of the people as in England. Three-fifths of the population were not represented at all, and there were 100 towns, containing each over 10,000 inhabitants, the population of which had no Representative. That was a state of things which should not be allowed to continue. The right hon. Gentleman the Member for the University of London argued that the classes to whom it was proposed to give the franchise were untried and unknown, but that statement was not correct. In the towns to which he (Mr. Blake) had referred they had the privilege of electing Boards of Guardians, members of municipal bodies, and school boards; and having been tried in those respects, he thought they should be further tried by being permitted to elect men to represent them in Parliament. They had shown by the Petitions presented to the House containing 153,490 signatures, against none in opposition, that they desired to have that privilege, and a deaf ear had hitherto been turned to their prayer. That course of conduct could not be persisted in long with impunity, for he would tell the House they believed they were entitled to it, and they would never cease to importune Parliament until they got the grievance redressed. Although he (Mr. Blake) was aware it was not so regarded by any hon. Member of that House, they believed that the refusal to admit them to the franchise was a stigma upon their poverty. He, however, believed the feeling which induced hon. Members opposite to oppose the Resolution was one of timidity and fear. They were afraid of the consequences, if the present constituencies were greatly augmented; but if the demand of the people was just and reasonable, it ought not to be refused. The result of the last extension of the franchise was to strengthen the Conservatives, and possibly a further extension might increase the Conservative majority. But the House had nothing to do with the question what political Party would benefit by an extension of the franchise. All the House had to do was to discharge their duty—to give the franchise to these people who were entitled to it. The responsibility of the use of the franchise would rest with these people, and they had no right to ask people who were entitled to the franchise what use they would make of it if the privilege were conferred upon them. He believed the House would not always refuse what was now asked. The majority against extension of the franchise was decreasing year by year, and he hoped the result of that night's division would show a considerable reduction of the majority by which this measure was rejected last year. In 1874 the majority against the extension of household suffrage to the counties was 114; in 1875 it declined to 102; in 1876 to 99; and in 1877 to 56. On that day week, when a similar measure was discussed in reference to the Irish boroughs, the majority against the Motion was only 8. This encouraged him to hope for the speedy success of the measure; and he trusted that on the present occasion many hon. Members opposite, if they would not support the Resolution, at least would not vote against it, so that they might get rid of the 56 altogether. It had been said that the time was not yet come for a measure of this nature; but his answer to that argument was, that it was never premature to do right. Notwithstanding the reforms which had been granted, property and life were as safe as ever they had been, if not safer, and people were as happy and contented as ever. He could quote the opinions of several statesmen of eminence in favour of his side of the question; for instance, they had the opinion of Lord Beaconsfield, that if the working classes had the franchise, they would exercise it as good British subjects; but, perhaps, the most respect would be paid to the opinion of Earl Russell, who said to a deputation of working men that every measure by which more power had been placed in the hands of mechanics, artizans, and labourers had justified the hopes of those who had fought their battles, and had given the lie to the fears of those who foretold, on the occasion of every reform, the downfall and ruin of the country. He (Mr. Blake) would recommend these words to the consideration of the right hon. Gentleman the Member for the University of London. The Liberal Party had been accused of always destroying; but if that were true, considering the periods during the last 40 years they had been in power, everything ought by now to have been destroyed. What had been the history of the country during the past 40 years however? Let them compare the beneficial changes which followed the Reform Bill with the state of the country previously. There had been enormous sacrifices of blood and treasure, and the National Debt since 1793 had been increased £700,000,000. The Chancellors of the Exchequer in those days must have had their ingenuity exercised to find anything more which they could tax. They were told on high authority that taxes were imposed on everything which entered the mouth or covered the back, or was placed under the feet, on everything which it was pleasant to hear, feel, smell, or taste—on warmth, light, locomotion, the waters on the earth and under the earth, on raw material and the manufactured article, on the ermine which decorated the Judge, and the rope which hanged the criminal; even the school-boy whipped his taxed top.

MR. SPEAKER called the hon. Member to Order, and said that he failed to see the connection of his remarks with the subject under discussion.

MR. BLAKE said, he was explaining that all this state of things had passed away, and from that he argued the public good that would proceed from adopting the present proposal. Enough had been said to banish the fears that had been expressed as to the results of doing so. He was pleading for those who could not plead for themselves, for they had not the facilities for meeting together which were possessed by those living in large towns. Last year, however, 1,500 of them came up to London at their own expense, and made it manifest that they were anxious for what was now asked, and which he thought the House ought not to deny. Those for whom the demand was made were not all agricultural labourers, though even agricultural labourers were not what they used to be. They used to be looked upon as simpletons in smock frocks, who were expected to cringe to their superiors, but they were a very different class from that now, and if they were not educated themselves their children were. He believed that, as a class, they were entirely deserving the confidence of Parliament; and he trusted the House, by passing the Resolution, would say that, in its opinion, it would be desirable to rectify the inequalities which existed.

COLONEL ALEXANDER said, that although he was quite prepared to vote against the Resolution, he could not do so on the ground that the defective education of the agricultural labourer did not permit of his being admitted to the franchise. In his opinion, there were many districts, including his own, in these Kingdoms in which the agricultural labourer was fully qualified to exercise his duties as a citizen. Nevertheless, he contended that this was not a partial measure which could be limited to any district, but was one which, when once granted, must be extended to all; and therefore those in the North and elsewhere, who were the most fit for the franchise, must wait patiently until their brethren in the South were trained to receive it. Lord Beaconsfield had said that the franchise should not be degraded to the man, but the man raised to the franchise, and in that opinion he (Colonel Alexander) fully concurred; but to carry such a measure as was proposed in the Resolution would be exactly the reverse of that doctrine. It was most inopportune at this particular moment, when we were considering the question of peace or war, and when the last might be said to be trembling in the scale, to bring forward that Resolution, and to attempt to tinker up the constitution of that House. Lord Beaconsfield had truly said that finality was not the language of politics; but 10 years ago the Conservatives passed a large measure of reform, and it was not right that that House should be called upon to disturb so soon what they were fairly entitled to consider was a satisfactory, if not an altogether final, settlement of the representation question. Hon. Members had referred to the case of America a great deal in the course of this debate, and therefore he would repeat the remark of President Lincoln, that "you should not have your coach always at the coachmakers." As our coach had been recently put in thorough order and completely remodelled, and as we had it now for immediate use, he trusted that the House would not be led by the eloquence of the hon. Member for the Border Boroughs (Mr. Trevelyan) to send it back to the coachmakers. To hear the hon. Member dilate upon the woes of the county householder it might be supposed that in the settlement of 1867 the county householder had been altogether overlooked and left out in the cold; whereas the county franchise had been lowered from £50 to £12. Surely that was no small or insignificant reduction. Hon. Members opposite now clamoured for an assimilation of the county and the borough franchises; but they had rejected the offer of the late Lord Derby, when he proposed to assimilate those franchises. In speaking on the subject in 1851, Lord John Russell said that it had always been his opinion that there should be various rights of voting; and that he had come to the conclusion that no improvement would be effected by the introduction of uniformity into the franchise; and that the voters for representatives of land in the counties and of trade in the boroughs should possess different qualifications. He (Colonel Alexander) submitted that the Members for the counties represented the land, and those of the boroughs trade and commerce. The right hon. Member for Halifax (Mr. Stansfeld) was unable to deny the accuracy of that reasoning; but he sought to get over the difficulty by saying that many things had occurred since 1851. The right hon. Gentleman, however, appeared to have forgotten that one of the most important circumstances that had occurred since that date was that, by the working of household suffrage in the boroughs, the Liberal Party had been turned out of office. He supposed, however, that the right hon. Gentleman hoped by extending household suffrage to the counties, that they might return to office again on the crest of the advancing wave. It was said that the Conservatives were afraid of the people in connection with the extension of the household suffrage to the counties; but, in his opinion, they had no reason to be afraid of them, and neither did they mistrust them. He did not doubt, if the proposal made were agreed to, that the effect would be to prolong the tenure of power of the Conservative Party; but he thought they should emancipate themselves from such considerations, and act only with an honest endeavour to secure the better representation of the people in that House. Last year it was asked why the householders in Barrow-in-Furness were not to be allowed the same electoral rights as were possessed by Frenchmen; but that argument, if worth anything, was equally strong in favour of manhood suffrage, and he did not think the advantages which had accrued from it abroad were sufficient to induce its immediate adoption in this country. When hon. Members opposite complained that it had always been the policy of the Conservative Party to restrict the franchise in the counties, they forgot that, as Lord Beaconsfield had pointed out, before 1832 every class in the country had the right of electing Representatives to the House, but the Reform Bill abrogated those rights, and took away from the freemen of Newark and other places rights for which it gave them nothing in return. Much had been said about the passing of a Reform Bill in 1832 by the Liberal Party, and that the question was their peculiar and glorious inheritance; but what had they done in the same direction since? The right hon. Gentleman the Member for Birmingham (Mr. John Bright), and the late Mr. Hume, both Liberals, characterized Lord John Russell's Reform Bill, in 1852, as a "peddling measure;" and the Liberal noble Lord the Member for Calne (Lord Edmond Fitzmaurice), applied the epithet "tinkering" to the Reform Bill of 1866. The Liberal Party could not trade for ever on a measure passed nearly half-a-century ago. Experience had shown that the Whig Party would do nothing for reform; and, as a matter of fact, all the reforming measures since 1832 had been introduced when the Whigs were out of office.

"As bees, on flowers alighting, cease their hum,
So, settling into office, Whigs are dumb."

The hon. Gentleman who introduced the Resolution, knew very well that he had more chance of getting an assimilation of the borough and county franchise from the Conservative Party, than from his own front bench. Two of his strongest opponents were to be found there; and what would any measure of reform proposed by hon. Members who sat on that side of the House be without the concurrence of those two right hon. Gentlemen? The time would probably come when another great and stupendous measure of Reform, as compendious as that of 1867, would be brought in and carried by the Conservative Party, but it had not yet arrived; and he hoped the House would reject the premature and illusory Resolution now before it by a decisive majority.

MR. LAING said, he would admit that 12 years ago he was one who agreed with the right hon. Gentleman the Member for the University of London (Mr. Lowe) on the question of the extension of the franchise, and that he was one who followed him into a certain celebrated "Cave," whereby he had incurred a great deal of obloquy. He wished to explain, however, that since that time he had been converted from his former opposition to the present Motion into a steady supporter of it, simply by a study of the classes of persons whom it would affect, and he felt that it would be only fair in him to confess the error of his ways. Still, to a certain extent he agreed with the right hon. Gentleman. He concurred with him in thinking that to secure the best possible government of the country ought to be the first consideration. Wise and good government was such an indispensable thing to be aimed at that all theoretical considerations must give way to it. In reference to the right hon. Gentleman's complaints about a criticism of his article, he thought it was one of the penalties of intellectual eminence that if a leading Member of that House gave his time to the discussion in periodicals of political questions, he must expect those who differed from him to take notice of the arguments he so used. While concurring in the proposition that they were not to go into such sentimental questions as the rights of man, he pointed out that, on the other hand, they would be a long time in settling questions of this sort if they were to deal with them on merely pessimist considerations. The right hon. Gentleman appeared to him to be what he would call a pessimist politician. He had professed to base his conclusions upon hard experience; but he seemed to be acting under the influence of a dominant theory. He seemed to think that all men above a certain hard-and-fast line were intelligent, wise in political matters, and gifted with caution so as to be worthy of trust; while all below it were an ignorant, hungry, and rapacious class, who, if endowed with extra political power, would exercise it as soon as they acquired it, and exercise it in a wrong direction. He (Mr. Laing) had formed his opinions upon an experience which led him to believe that in other countries a wide extension of the electoral power had been followed by good results. The practical question to ask was, whether good government had not been found consistent with a widely-extended franchise, and whether it was not as apparent in an extended as in a restricted franchise? There were certainly great national advantages in an extended franchise. The wider they made the basis of government by extending the franchise, the stronger must the government be for the repression either of selfish privileged interests or of dangerous classes. For instance, he thought the repression of the Commune in France was effected with vastly more energy and vigour by the Republican Government, based on a widely-extended franchise, than it would have been by the Government of, say, Louis Philippe, which had its stand upon a narrow electoral franchise. Again, in his belief, the educational effects of an extended franchise were also very considerable. He did not use the word educational in its ordinary sense; but he meant that it would tend to raise man in his own self-esteem, and by making him feel that he had some position, not an inferior and dependent one, in the State, would cause him to look into political questions. These were considerations which, to his mind, were eminently applicable to the agricultural labourer, who, in his opinion, was as sound and sensible and loyal a fellow, and as well fitted for the exercise of the franchise, as any other in the country. As to extension of the suffrage tending to degrade government, his reading of contemporary history led him to a totally opposite conclusion. Some hon. Gentlemen had referred for illustrations to the United States, and he would mention that the first thing which had converted him to a favourable view of the policy of extending the franchise was watching closely the course of public events in the United States. Though perfectly sensible of the defects which came to the surface of American society, of the "bunkum" and "tall talk" which were indulged in, any one who had watched the course of the American Government for the last 10 years must admit that, on the whole, it had been characterized by very great wisdom and success. A test of good government was first and foremost the adoption of a wise foreign policy. Errors in domestic policy might be remedied; but in foreign policy an unwise departure might be felt generation after generation in the shape of vast military armaments. Where was there any parallel to the case of the United States, who, having at the close of the Civil War an army of 500,000 men, had disbanded that army down to 25,000, absorbing all the others quietly into the ranks of the civil population? Was there any country in Europe where political power was in the hands of a limited number of the upper classes where that would have been done? There had been temptation to the United States in the state of surrounding countries to have gone in for a policy of annexation—Mexico, Cuba, St. Domingo, and even Canada, or at any rate British Columbia, offering a fair chance of success for a policy of aggression; but the American Government, the offspring of universal suffrage, had adopted the wisest course of keeping the peace, had disbanded its vast army, and, what was more remarkable for a Democratic country, had submitted to an excessive load of taxation in order to avoid national bankruptcy, to keep up the credit of the nation, and to make an impression on the vast National Debt. It was true that in bye-elections men of an inferior stamp often came to the front; but the election for President corresponded most closely with the General Election for the House of Commons, and no one would say that the Presidential elections in the case of Mr. Lincoln, General Grant, and Mr. Pierce had not returned men worthy of that high position. Another proof of the value of an extended suffrage was furnished by America, and that was that they were an eminently law-abiding people. That was proved by the way in which the people had accepted the decision of the Judges and Committee to whom the question of the Election in the last Presidential campaign had been submitted; and a man elected by a popular majority had been set aside and the other candidate put in his place as quietly as if he had been the 100th successor of a legitimate line of Monarchs. France might be taken as another illustration of the value of an extended suffrage. He had been surprised to hear France cited on the other side of the question during the debate; for he thought no one who had watched the course of France during the last few years could doubt that an extended suffrage had not only been the means of saving her in what had been a most formidable crisis, but that it had, to a great extent, sobered and improved the French character. France had never displayed so much sobriety and good sense as she had done since she had had a Republican Government with a widely-extended suffrage. Under any other Government the affair of the 16th of May would have led to a military Pronunciamento and to civil war. The French, however, had so rapidly acquired the character of a law-abiding people as to have been saved from those calamities. However, the circumstances of other countries were so different that after all we must look at home to try and predict what would be the effect of that great extension of the suffrage which so alarmed the right hon. Gentleman (Mr. Lowe), but which after all had, to a great extent, already taken place. A considerable majority in that House had for more than 10 years been returned by the very class who, according to prediction before the last extension, were to do all sorts of horrible things. He wished to know, however, where were the political, social, and financial atrocities which had been committed by hon. Members returned by the very same suffrage which it was now proposed to extend to the counties? It was a plausible theory that a limited Aristocracy, with the advantages of wealth, position, and leisure to attend to politics, were the only safe depositories of political knowledge, and especially of a sound foreign policy as opposed to the impulses of an ignorant Democracy, who had no time to study such questions, and who were liable to be swayed backwards and forwards by every impulse of popular passion or delusion. That might have been true of ancient Rome or mediæval Venice; but he denied that it was anything approaching the truth in regard to modern history. Taking foreign policy—and excluding the present crisis, because passions were too much influenced with respect to that to treat it calmly—there were occasions of late years in regard to which they might discuss what the right hon. Gentleman would call the folly of the many and the wisdom of the few; but which he (Mr. Laing), reversing the terms, would describe as the wisdom of the many saving us from the folly of the few. Take the Civil War in the United States. Was it not the fact that the majority of the upper classes, who, according to the right hon. Gentleman, had the monopoly of sound views as to what was really for the interests of the country, had favoured the Southern as againt the Northern States, and desired to see two rival Republics? Did anyone now think that it would have been, he would not say for the benefit of humanity and civilization, but merely for our own interests, that the United States should have been divided into two rival Republics, each keeping up large military establishments, and liable at any moment, in order to avoid domestic difficulty, to combine against a power having possessions on the American Continent? Take, again, the rise of the great German Empire, and in the wars first of Prussia and Austria against Denmark, then of Prussia against Austria, and lastly of Germany against France, the policy and feeling of the upper classes here to whom the right hon. Gentleman wished to give the monopoly of our foreign policy had been on the side most entirely adverse to real British interests, while the sentiments of the mass of the nation had been just the other way. No one could now doubt that the rise of the great German Empire had been of the greatest benefit to this country. ["No, no!"] He believed it had; and he would be glad if any hon. Member who thought otherwise would get up and tell him that we had been in a safer position, when, with our good and trustworthy Ally Louis Napoleon, we had been in perpetual apprehensions lest some belligerent turmoil or domestic difficulty should lead him to attack our shores. ["Oh, oh!"] Well, what had originated the great Volunteer movement? Had it been apprehensions of France, or of Germany? It was notorious to all the world that it had originated in apprehension of France, while the rise of the German Power—a race kindred to us in blood, genius, and religion—had been the greatest possible security for British interests. ["No, no!"] On that point he was perfectly willing to challenge public opinion. Coming next to questions of finance, which were also next in importance, was it true that since the power of electing a majority to the House of Commons was given to the poorer classes there had been a tendency to shift the burden of taxation from the shoulders of the poor to those of the rich? That was a crucial experiment. It was perfectly notorious that nothing of the sort had taken place. With regard to the many questions which had been before Parliament, he would ask whether legislation had not been greatly aided by the extension of the franchise? Take, for instance, the disestablishment of the Irish Church. Would that measure ever have been passed if an appeal had not been made to the mass of the community, and whose decision had been given on a question as to whether the country would do unto others as others should do unto them? That was an appeal to the law of common sense and the good feeling of the country. Having touched very shortly on some of the objections which had been urged against the extension of the franchise, and the danger to be apprehended from such extension, he would just refer to one which was put forward last year by the right hon. Gentleman the Member for the City of London (Mr. Goschen), in a speech of great ability and evident sincerity, as to the danger that with an extended suffrage we might relapse into the heretical policy of protection. But they did not find that countries where the suffrage was extended were necessarily Protectionist. In this country Free Trade measures had been carried almost solely by the extension of the suffrage; and there could be no doubt that an extended suffrage would considerably strengthen the feeling in favour of Free Trade. No doubt the United States and some of our colonists were Protectionist; but it really did not follow that everybody must be a heretic that dissented from Free Trade. Although the effect of an extension of the suffrage might be doubtful with respect to some younger countries, he contended that it would not have an injurious effect in this country so far as Free Trade was concerned. Then it had been said that the extension of the franchise would tend to a deterioration of the House of Commons. That was a subject on which he had had an experience of nearly 30 years in the House, and during which he had been a constant attendant at the debates. No doubt the House had changed, so had the electoral element; but the House had not deteriorated. No doubt it contained a much larger number than formerly of men of the world—practical men of business, who had been the architects of their own fortunes, and it was now more prosaic than poetic; but the debates were certainly not inferior to those which took place many years ago. If anyone told him that since the extension of the franchise the demagogic element had increased in the House, he would ask him to look at the Leaders of the political Parties in that House and say whether either of them was a demagogue. He did not see how the right hon. Member for the University of London could reconcile these facts with his sweeping denunciation of an extended suffrage. What was now proposed was but a small step in the extension of the franchise. What was it compared to the "leap in the dark" 10 years ago? They had had experience of household suffrage; it was no very hazardous experiment to extend its boundaries. Experience had proved that its dangers were infinitely less than anyone supposed—that the measure now proposed would redress some of the glaring anomalies which at present existed, one of which said that because a man lived in the country, or in the suburbs of a town, he was not equally capable of exercising a vote as a man who lived in town itself; and that it would materially improve the constitution of the House of Commons, and at the same time exercise a great influence on large classes of the community. He should, therefore, give his hearty support to the Resolution of his hon. Friend.

Mr. BALFOUR was ready to admit that the hon. Gentleman who had last spoken in the early part of his speech approached the question before the House in a right spirit, because he rested his conclusions on the basis of experience. He believed the hon. Gentleman was a convert to his present opinions; but he confessed he failed to see the force of the reasons which he assigned for that change. He appeared to justify it by the experience of the last 10 years, and he specially alluded to the case of America. He was hardly fortunate in his choice of an example. That country had lately been in a constant state of alarm for her national credit, and had, in fact, passed a measure which seemed to strike at its foundation. He could not discuss at the present moment the merits of the Silver Bill; but of the alarm it produced among economists there was no doubt. It was noticeable that there had been this year a marked change in the style of the arguments in favour of the extension of the county franchise—a change largely to be attributed to the articles written by the right hon. Gentleman the Member for the University of London, and to the recent discussion on them. Many old arguments had, in consequence, disappeared almost entirely; and the chief speakers had been content to address themselves to the more minute points of the controversy, without dealing with the general question. At one time the commonest argument had been based on the partiality of the present law, and the wrong done by including one set of men and excluding another set of men not less competent to exercise the franchise; but, though there had been indications of that contention in the speech of the introducer of the Motion, he had dealt chiefly on the more practical question of how the proposed measure would affect legislation. His hon. Friend had drawn comfort from the experience of this country since the last Reform Bill. He had asked, where were the signs of hasty or revolutionary legislation since householders in the boroughs were admitted to a vote? With much that had been said on this point he fully agreed, and saw at present no sign of those evils; but an experience of 10 years in one country was far too short to admit of any profitable speculation on so intricate a problem, through the difficulties of which the experience of the whole world was hardly a sufficient guide. There was one danger, indeed, which he feared from the proposed measure, and about which the experience of the country in the last decade was not altogether re-assuring—he meant the danger of sudden changes and revulsion of feeling. In proportion as they made one class the depositories of all political power, and that class the one most affected by sentiment and least affected by reason, he feared this danger would increase; and, in this respect, America would be more favourably situated under democratic rule than they would be, because local differences there—the differences between different States, between North and South and East and West was, to some extent, a substitute for the differences which existed in this country between different classes. It only remained for him to notice the argument of his hon. Friend the Member for Chelsea—that, namely, which implied that it was desirable to rest the State on as wide a foundation as possible, because a pyramid was more secure if it rested on its base than if it rested on its apex. This was a comparison which, if meant for anything more than a simile, begged the whole question at issue. The problem before him was not to be solved by arguments like these, any more than by metaphysical arguments drawn from supposed abstract rights. What they had to decide on was not a question of justice but a question of expediency. They had to determine on such grounds as reason and experience afforded them, what the effect of the proposed change would be on the constitution of the House of Commons; and if they came to the conclusion—which was forced upon him—that the House would neither be a safer nor a more effective legislative and administrative machine, but rather the contrary, it was their business to resist the change to the uttermost. In conclusion, he hoped that no successful Motion for the extension of the franchise would take away the hon. Member's (Mr. Trevelyan's) yearly occupation, but that a plan so uncertain in its results would be decisively rejected.

MR. GOSCHEN said, that he had no wish to address the House that evening, and he would re-assure hon. Members who thought him likely to trouble them much on the subject, by saying at once that if his hon. Friend the Member for the Border Boroughs (Mr. Trevelyan) intended to make the Motion annually, he had no desire to make an annual speech on the subject. However, the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) had apparently wished him to speak, and had put some pointed questions to which he felt bound to reply, though he was sorry to say that he could not think himself indemnified by any support which he might receive from his political opponents on that question, for the pained silence of his Friends on that side of the House. Indeed, he would rather have been silent had he not been challenged. In the few remarks he proposed to make he would not allow any controversial feeling, or any desire to prove his political consistency, to prevent his owning a mistake if he had indeed taken a wrong view of the case. He would endeavour to avoid the danger incurred in defending opinions, of exaggerating them, and of being induced to hold them in a still stronger measure than before. The hon. Baronet the Member for Chelsea had been rather merry on the subject of the small following which the right hon. Member for the University of London (Mr. Lowe) and himself (Mr. Goschen) had received in the debate last year. Perhaps the hon. Baronet would allow him to say that when he first spoke out on this subject—when he gave expression to the opinions which he strongly held—he certainly did not wish to create for a moment a division among the Party to which he belonged. He regretted that too often when questions of this kind were brought forward there should be "Lobby" agitation, newspaper agitation, and public agitation brought to bear upon hon. Members, in order to secure adherence to particular views. All he could say was, that while considering it his duty to express most strongly his opinions upon this question in that House, he had in no way attempted to influence a single hon. Member to vote in support of his particular views in relation to it. The right hon. Gentleman the Member for the University of London and himself had felt it to be their duty to state the opinions they held on this question, and he, for one, should abide by those opinions until he was converted. Neither he nor his right hon. Friend were to be diverted from the course they had thought it their duty to take by taunts that they were not in harmony with their own Party. He would not ask—perhaps, indeed, he ought not to ask—whether, although they were not followed into the Lobby, the words which he and his right hon. Friend had addressed to the House were entirely without response and without echo in the consciences of hon. Members on that side. ["Oh, oh!"] He should not like to say that there were no hon. Members near him who had not felt the force of those arguments, and who did not, in a considerable degree, share in their opinions. But, it was said—"This change is inevitable, and therefore it is unwise to resist it." That was an argument against which he had strongly declared himself last year. He did not think that because a thing of which he, in his conscience, did not approve, was inevitable, he was, therefore, bound to vote for it. His hon. Friend the Member for Chelsea had alluded—he did not know for what reason—to the fact that he (Mr. Goschen) only, out of the four Members for the City of London, had voted against this Motion last year. No doubt that was a statement addressed by the hon. Baronet to the constituency he had the honour to represent. No doubt the hon. Baronet had his motives in doing so, and no doubt these motives were stronger than the mere desire to point a sentence or evoke a cheer. But he would ask the hon. Baronet, who had stated that he (Mr. Goschen) alone had voted against this Motion, and who had conveyed to the House the impression that he, the Liberal Member for the City of London, had alone, among its Representatives, voted against this Resolution, whether he had consulted the list of pairs on that division? Had he asked himself whether, by the process of pairing, any other Member for the City had taken part in the determination of the question at issue?

Sir CHARLES W. DILKE said, that he had examined the list of pairs, and that he found that one Representative of the City of London had paired on the question, but that the two others had not done so.

Mr. GOSCHEN observed that it would have been more candid of the hon. Baronet if, knowing that fact, he had not held him (Mr. Goschen) up in his solitude as having alone among his Colleagues voted against this Resolution. These personal matters, however, were but small ones as compared with the larger question at issue, which had been the cause of creating the breach between himself and those with whom he was accustomed to act, which he so much deplored; but none the less must he deal with the arguments which the hon. Baronet and others had put forward during the debate. The hon. Member for the Border Boroughs, and other hon. Members on that side of the House, had stated that it was their main duty that evening to deal with the speeches and articles of the right hon. Member for the London University, and of himself. He had looked through his own speech just after the hon. Baronet had concluded his address, and there was one portion of it to which he attached most serious importance. One of the main arguments on which he had relied last year in objecting to this Resolution was the relation of the agricultural class to the Poor Laws of the country. Those laws were a most important element in our social economy, and it was impossible to overlook them in carrying into effect great Constitutional changes such as those proposed by the hon. Member. It was, however, not a little singular that, although that point would have to be dealt with in connection with the scheme under consideration, the hon. Member for the Border Boroughs, in dealing with his (Mr. Goschen's) speech, had not by one single word alluded to this very important part of his argument against the proposal. This was a subject on which he (Mr. Goschen) was most anxious to be shown that he was wrong; but, as at present advised, he held that, standing as the agricultural classes did in relation to the Poor Laws, it would be introducing a dangerous element into the representation of the country to give them household suffrage—not because he believed that the agricultural classes were opposed to the Constitution, nor because they were ignorant, but because of their status in relation to the Poor Laws. He said, with great satisfaction and pleasure, that the statement of the hon. Member for Stafford (Mr. Macdonald), that the amalgamated engineers and iron founders endeavoured to prevent their members from coming into the workhouse, had made a deep impression upon him; and when the agricultural labourer, acting under any influence, could emancipate himself from the action of the Poor Laws, the whole situation would, in his opinion, be changed, a great object would be achieved, and he should look upon this question of his admission to the franchise from a very different point of view, as it would become far more safe to admit them within the pale of the Constitution. It had been said that his remarks last year showed distrust of the working classes; but surely it was expressing no distrust of the working classes to say that he was not prepared to give them a preponderating power and influence within the Constitution, an influence and power which could not be given to any other class or any other interests. He was not opposed to, neither did he wish to evade or delay, the representation of the agricultural labourers in that House. On the contrary, if any scheme or mode could be devised in order to secure their representation without imperilling the representation of other classes it would receive his support, and he would be the first to welcome it. He was not opposed to the admission of the labourers to the franchise; but what he was opposed to was the danger of destroying the representation of the other classes. He willingly acknowledged the force of the argument that an extension of the suffrage would increase the safety of the Constitution, and admitted that it would be well, if possible, to have the agricultural labourers fairly represented; but he could not help being struck the other night by the fact that hon. Members opposite, and many hon. Members on his own side of the House, were not prepared to concede to the agricultural labourer that share in local government which would have been his best preparation for political duties. Considering that 1,000,000 voters were admitted within the pale of the Constitution by the last Reform Bill, the admission of the same number whom it was now proposed to enfranchise would, as his right hon. Friend had shown, give the working classes an absolute majority in almost every county and borough, and be fatal to the representation of the other classes. It had been said that it would be fatal if, as the result of such a measure, the working classes were likely all to vote in the same way, but that it was highly improbable any such thing would ever take place on any given subject. It had also been said that the classes it was now proposed to enfranchise would be divided into Liberals and Conservatives, and that, therefore, no political danger would accrue; but that was not a question as between Conservatives and Liberals. The question was, were there a number of subjects upon which all these newly-enfranchised classes would practically be united? They had heard of the anomaly of one man on one side of the street having a vote, while a man on the other had none, and injustice being thereby done to that other. That argument made no impression upon his mind whatever. Our Friends on that side of the House should not be carried away by that argument. It was said they gave household franchise in the boroughs, therefore it was only consistent that it should be given in the counties; but in the Reform Bill of 1867 they dealt with counties as well as boroughs, and the county franchise was lowered to £12 in order that there might be a settlement for some time. They were all parties to that settlement. The anomaly of the two sides of the street existed then as now. But it was said, the inhabitant on one side of the street was injured by reason of his not being represented. But, what was the result? Such persons, not now enfranchised, were already represented by an enormous number of persons precisely similar to themselves. Persons united on the same subjects, and likely to vote in the same manner, were already in very large numbers entitled to the franchise. The argument was this—that for the sake of remedying that anomaly, they were, to the overwhelming power within the Constitution exercised by those classes, to add another 1,000,000 interested in the same subjects, and likely, he thought he might say, to vote on class questions, on labour questions, on Poor Law questions, on social questions generally, in the same direction as those of their fellows who were now in possession of the franchise. Would it be fair to say that they felt a distrust of the moneyed class, because they declined to give them a preponderance of power, or of the aristocratic class, because they declined to give them the majority in that House? Neither was it fair to say they distrusted the working classes. They distrusted no class; but they were adverse to conceding to any one class a supremacy at the polling-booth. His hon. Friend had twitted those hon. Members on the Opposition side who held these opinions with being so few in number. Perhaps on that very account they might ask for more indulgence when they put forward their opinions. He wished to say a few words in reply to the speech of his hon. Friend the Member for Chelsea, because his hon. Friend challenged him distinctly with respect to some of the remarks which he (Mr. Goschen) made last year on this subject. His hon. Friend was not very fair in his representation of the views to which he then gave expression. What he asked on that, as on the present, occasion, when it was proposed again to admit an enormous number of voters to the Constitution, was—"What is our experience of the late Reform Act, and what are generally the political signs of the times?" The main point of his argument—as would be remembered by those who did him the honour to listen to his arguments on that occasion—was negative rather than positive. He remarked that we had not yet had sufficient experience of the new electors to enable us to judge from their conduct whether we could safely proceed further in the same direction. That was the gist of his speech, in which occurred the phrase—"The new levies have not yet been under fire." He said that we had passed through prosperous times; that legislation and finance had both done very much in their favour; and that we had not yet seen whether the men returned by the new constituencies possessed the power of resistance to democratic demands, if such demands should be made. But he did not say that any of the legislation of the last 10 years had been of a terrible character. One phrase which he used last year summed up his opinions. It was—

> "He did not say that the House ought to have resisted on any of those occasions, but he had no proof yet, and the House had no proof yet, that it would be able to resist and that it was not already under the strong influence of numbers."—[3 *Hansard*, ccxxxv. 504.]

That was his point. We travelled fast in these days, but 10 years was a short time to allow to elapse between one great Reform Bill and another. It was a little unfair, because he was unable to advance with these giant steps and to admit 1,000,000 voters every 10 years, for his hon. Friend the Member for Sheffield (Mr. Mundella) to say last year that he (Mr. Goschen) had ceased to be a Liberal. Why, he was as good a Liberal now as the great bulk of his Party were 10 years ago, when they made that settlement. The hon. Baronet the Member for Chelsea had challenged him to say what measures he had resisted during the last 10 years. Without mentioning particular instances, he might say that he did not think it wise or becoming on every occasion when he thought political economy was suffering to make long speeches to enforce his opinions respecting them; but he had repeatedly spoken of the increase of the philanthropic spirit in that House and in the constituencies, and had compared the public opinion of the present time with the political economy of older days. He now wished to repeat in the strongest way that, while he did not say that any of the legislation of the last 10 years was wrong, yet he continually saw symptoms in the House, in the Executive Government, and in the constituencies themselves of a weaker power of resistance to philanthropic demands, and a weaker attachment to the great principles of political economy. He admitted to the full, however, that it was exceedingly difficult to prove this. [Mr. MUNDELLA: Hear, hear!] No doubt it was a matter which was not capable of demonstration; but he felt, even when the hon. Member for Chelsea was speaking, that his hon. Friend himself was under that influence, and that he had lost the regard for political economy which used to be entertained by the great bulk of the Liberal Party in the House of Commons. If he could not give his hon. Friend an instance he might, at least, give him an illustration of what he meant. He would honestly say he thought he could trace his great reluctance and hesitations on this question to the experience he had gained when he filled the post of President of the Poor Law Board. At that period, he saw that a number of measures of dangerous tendencies might result if the classes engaged in labour should make laws to regulate the administration of in-door and out-door relief. Now, he was asked, was it likely that the poorer classes in the towns and in the country districts would combine on any subject whatever, and his answer was that he could conceive such a state of things—namely, on the subject of the Poor Laws. Were hon. Members aware that there were laws affecting the poor which forbade the supplementing of wages by Poor Law relief? It was demanded by the Poor Law authorities that the harsh doctrine was to be enforced—the doctrine of political economy—that wages were not to be supplemented by Poor Law relief. He asked, what would be the probable attitude of constituencies in which the labourers were in a majority, if in an election there were such a test question as this—namely, greater or less stringency in Poor Law relief? When the time came that agricultural labourers would be less dependent on the Poor Law, then we should have clearer and safer ground. But there was danger to the State on those labour questions in having constituencies where the labourers, whether in town or country, were in a majority as to political power. He asked the House to consider what was the relation of those agricultural labourers now to the State, what was their relation to local authorities, what their relation to society? What was authority to the labourers in our rural districts? It was the constable in pursuit of the poacher and the tramp. What was justice to them? A few squires sitting in a public-house in petty sessions. ["Oh, oh!"] He wished to be candid in the matter, and before he sat down he feared he might have to say several things not palatable to hon. Members opposite. In short, the relations of the agricultural labourer to society were not satisfactory. What was local government to him? It was the union, with its blank walls and the blank faces of the elder inhabitants of his parish ranged along those walls. He trusted, however, hon. Gentlemen on that (the Opposition) side might be divided, and yet they were not much divided, for few held the opinions which he entertained on this subject—that they would use all their united efforts in order to secure more civic life for the labourers, and endeavour more thoroughly to educate them to be fit for the political power they would confer upon them. He would be very much surprised if hon. Gentlemen behind him, who might think him a retrograde Liberal in that respect, would refuse to be in the same Lobby with him in regard to the direct representation of labourers in local affairs. He was, however, afraid there were still in the rural districts reasons which made it dangerous to place so much political power in the hands of one class. One question more before he sat down, and hon. Members opposite must forgive him if it was more or less directed at them. It was said—"Look at the result of the last Reform Bill. The result was to return a greater Conservative majority than before. See how safe it is. See how even that democratic measure has resulted in increasing the power of the Conservative Party." Well, but had it increased Conservatism in this country? It had not. Hon. Members opposite returned by the enlarged constituencies were no longer Conservatives in the old sense. They no longer performed the function which they used to perform—they had not the power of resistance. They showed it in their attitude on great questions, upon which they came more under democratic influence. Hon. Members on that (the Opposition) side might be glad that it was so, because certain measures had passed which otherwise would not have passed. Hon. Members opposite sometimes made a great show of resistance and were very successful in defending matters upon which they had set their hearts; they were able to defend a monopoly here and there, or to perform some piece of class legislation. ["No, no!"] Yes; they were successful when they tried. They refused the other day to let Dissenters be buried by the side of Churchmen, and they set themselves to please various interests in the country by resisting various Bills; but when it was a question of resisting any really popular demand, he had not yet seen during the time the present Government had been in Office any great powers of resistance. As the basis of the Constitution was widened and the suffrage extended, he wanted to know—it was a delicate question—was the Executive Power strong enough to hold its own—did statesmen still hold their own—against all the gusts of popular opinion and passion? He did not see that the Conservative Party in that case had the same power of resistance, and that well-known characteristic of democracy, the weakening of individual responsibility and of the responsibility of statesmen, was clearly becoming a characteristic of the present time. He wanted, therefore, to know, whether it was safe for the House or the country at this time of day to cast its sword into the scale of democracy? He did not think it was, because the power of resistance was less, and if hon. Members opposite would reluctantly admit it, he would call their own Foreign Secretary into the witness-box. He would remind them of what Lord Derby himself had said on a great question of foreign policy. He said that he waited the wishes of the public his masters. If we had come to that, that the Conservative Foreign Secretary, backed by an immense majority, admitted in the face of Europe that he waited the wish and the decision of the public his masters; if that were so—and it was so—if we had seen the Government swayed to and fro by the gusts of popular opinion, then the times had changed and new influences were at work which must affect the conduct of every Member of that House. But this was not confined to foreign policy. Had they not seen, not only in questions of foreign policy, but even in questions of judicial authority, in questions of trials settled by sworn jurymen, that the public came forward and wished to invade judicial authority? Had they not seen that public meetings had almost usurped the powers of the Executive Government? [*Ministerial cheers.*] He did not know whether they cheered because they thought he was thinking of public meetings on one side of the House. He was not thinking of one side or the other. His feelings were not of that kind at the moment; but he said whether he looked to the spirit of the country, which more and more appeared to him to be abandoning its old spirit of self-reliance and of looking to Parliament and the Executive Power for remedial legislation, or whether, on the other hand, he looked to the Executive Power, seeing it weakened in this House and out of it, wherever he looked to the one or the other, he could not help asking whether this was the time to make a great change by admitting fresh and large numbers within the pale of the Constitution. His hon. Friend the Member for the Border Boroughs in his peroration spoke of the Eastern Question, and how undeniable it was that there was a large portion outside the pale of the Constitution who might have been compelled to make demonstrations because they had not got legal means of giving effect to their views. But had the demonstrations on one side or the other been composed of non-electors? That could certainly not be said. It was public opinion that wished to sway the Government; and he wanted to know whether they in Parliament were strong enough and bold enough to accept their own responsibility, and resist this increasing tendency to invade what he considered their legitimate functions? He felt how entirely inadequate he was to give expression to the views he held on this question within reasonable time. His hon. Friend (Mr. Trevelyan) had staggered up to the Table under the weight of the Petitions that he carried. He (Mr. Goschen) had himself staggered in his speech under the weight of the strong convictions which he held upon this question. He regretted that again he should have to pass through the Lobby not in company with his usual political Friends; but he wished to state in the face of the House and the country that upon that subject he was not influenced by any disloyalty to his Party or to its Leader. He should carry into that Lobby the conscientious belief that he was doing his duty; but, at the same time, he would express the earnest hope that it might be found he was mistaken, and that the tendency he had feared would not exist; or, at all events, if these additional numbers were to be admitted into the Constitution, he trusted that such measures might be accompanied by safeguards which would secure that other classes besides the most numerous might be represented in the House of Commons.

MR. NEWDEGATE said, he was fully sensible of the conscientious courage manifested by the right hon. Gentleman the Member for the City of London (Mr. Goschen), for he (Mr. Newdegate) knew the pain it cost to separate oneself in that House from those with whom a Member usually acted. The right hon. Gentleman's speech, delivered as it was from the Opposition benches, would go forth to the country with far greater force and effect than anything that could be said from the Ministerial side of the House. He regretted, however, to have listened just before to a speech of a very different character—he meant the speech of the hon. Member for Orkney (Mr. Laing). That hon. Member had referred to the passing of the last Reform Act. And what occurred during the discussions on that measure? The hon. Gentleman and he (Mr. Newdegate) then united, and by their joint action secured an addition of 10 to the county seats for England, to those appropriated to the higher franchise, and the hon. Gentleman also, by that arrangement, secured seven additional seats for Scotland; but the hon. Member now seemed to say—"*Tempora mutantur nos et mutamur in illis,*" and was about to reverse the course he had taken on that occasion; and yet the hon. Member congratulated the House because, in his opinion, its character had remained unchanged by the measure of 1867—just when he was about to reverse the very principle which he had so powerfully supported in 1868. The hon. Member asked—"What could be more successful than the government of the United States of America under universal suffrage?" He lauded the great Republic, and held up its democratic Constitution as an example of that we should seek to establish in this ancient Monarchy. The hon. Member was unfortunate in his historical statement, for universal suffrage existed in the United States long before the Civil War, by which the existence of the Republic was so grievously imperilled. The Civil War was the product of universal manhood suffrage. And then he pointed to the success with which that war had been brought to a close, and illustrated it by the fact that the successful General had been able to disband his victorious army even under universal suffrage. From the United States the hon. Member passed to France, and endeavoured to prove the success of universal suffrage there. But, as in the case of the United States, he was careful not to carry his illustration too far back for his purpose. Universal suffrage was established in France in the year 1848 under the Republic, which was overthrown by the despotism of 1852; that despotism lasted 25 years, and was terminated by the German conquest of France. Such, then, were the hon. Member's illustrations of the success of Republics under universal suffrage. Let the House mark, also, that, in advocating this proposal to extend household suffrage to the counties, the hon. Member had based his arguments upon the success of manhood suffrage in two great Republics. Let the House not forget that in this country they had to preserve an ancient Monarchy. Then the hon. Member referred to the success of universal suffrage, as illustrated by the triumphs of Germany. But was it under universal suffrage that Prussia overcame Austria? Was it under universal suffrage that Germany was so victorious in the Franco-German War? It was well known that universal suffrage was not generally adopted throughout Germany until after that war; and was it to be understood that the hon. Member desired when, as he seemed to hope, the House should have adopted this measure of household suffrage in the counties, England should be internally ruled by a power as despotic as that which characterized the Government of Germany? A few years ago there lived a great writer who thoroughly understood this subject—M. de Tocqueville—and what said he? He clearly distinguished between equality and liberty, and, on the Reform Act of 1867, he said, in substance—

> "Your approach to equality alarms me; equality is not freedom. Your liberty depends upon the preservation of your aristocracy; and, if you lose that in England, you may prepare to see equality, perhaps, but an equality followed by a loss of freedom you will have to regret."

Such, in substance, was the language of the distinguished author of *La Democratie en Amerique*, a work which had become a standard authority, and by which he introduced among the great body of American citizens, for the first time, a clear perception of the real nature of their country's Constitution. Every word that had fallen from the right hon. Gentleman the Member for the City of London with respect to the weakening of the power of resistance in this country—of the weakening of the Conservative principle in this country—since the Reform Act of 1868, had found a response in his (Mr. Newdegate's) heart; for he, too, had observed the difference; and when the hon. Member for Orkney congratulated the House upon its improved condition, he thought that, if the hon. Member had heard the speeches which had been made earlier that evening by the hon. Member for Leeds (Mr. Barran) and the hon. Member for Leominster (Mr. Blake), who talked as though this measure might be safely passed on account of the increasing education and intelligence of the labouring classes, he must have felt with him (Mr. Newdegate) that those new Members for borough constituencies needed some little time before they would be able to understand the force of those admirable articles by which the right hon. Member for the University of London (Mr. Lowe) had instructed the public, and the power of the speech he had, early in that debate, addressed to the House. He (Mr. Newdegate) rejoiced that the Conservative Party were about to resume their ancient functions and duty — resistance to democratic change. They could not be insensible to the fact that the conduct of the Business of the House needed improvement; for its recent conduct had so deteriorated, that they had been obliged to appoint a Committee to consider some means of prevention, so that it might no longer be in the power of a small minority of Members to obstruct the Business of the House arbitrarily and indefinitely. If that proved anything, it was not a proof of improvement. He (Mr. Newdegate) thought it was time that they should pause before they further introduced into that House the element of popular agitation, which already commanded the action of public men far more than was conducive to the welfare and safety of the country. ["No, no!"] Such, at any rate, was his conviction. He could add nothing to the admirable arguments of the right hon. Gentleman the Member for the University of London, as illustrated by the able statistics of the hon. Member for West Gloucestershire (Mr. Plunkett); nothing to the able speech of the right hon. Gentleman the Member for the City of London, with regard to the probable effect of the measure the hon. Member for the Border Boroughs (Mr. Trevelyan) invited the House to adopt. That hon. Member asked the House to admit to a predominance of electoral power classes of men who were already combined under able Leaders like the hon. Member for Stafford (Mr. Macdonald), whose trade combinations, threatening the security of capital, had already aggravated commercial distress to an extent he (Mr. Newdegate) lamented. The industrial classes had shown that they were deficient in knowledge of commercial affairs; they did not always seem to understand their own interests; their conduct had sometimes been marked by a tendency to violence, which the House had deemed it necessary to restrain by law. When these unfavourable characteristics and results of the trade unions were manifest, it was but common sense that Parliament should pause before admitting these classes to the possession of still greater power.

The Marquess of HARTINGTON: Sir, I agree with the hon. Member for Hertford (Mr. Balfour) that this debate has taken a different course from that which it has followed during the last three or four Sessions. We have heard to-night a great deal of abstract argument on the question than we have been accustomed to before. I am not surprised that my hon. Friends the Members for the Border Boroughs (Mr. Trevelyan), Chelsea (Sir Charles W. Dilke), and Orkney (Mr. Laing), and others who have addressed the House, have eagerly grasped the opportunity of grappling with some of the arguments, and have fastened, as they have done with some avidity, upon the material afforded them by my right hon. Friends the Members for the University of London (Mr. Lowe) and the City of London (Mr. Goschen). I will state by-and-bye why it appears to me that the issue which is before us is not very greatly advanced by the discussion of abstract arguments either on the one side or on the other. But I want first to point out to the House the singular position in which we find ourselves with regard to this question. We have been led on this question of Parliamentary Reform up to a certain point by the Party opposite. Having been led to that point, we have been left without further guidance, and, not only that, but we find that they refuse to proceed with us further in the direction in which they have been leading us. Sir, I am not referring only to the action of the Conservative Party in 1867. I can go back further than that. I can go back to the action of the Conservative Party in 1832. The Reform Bill of 1832, as originally introduced and supported by the Liberal Party, did not propose any fundamental alteration in the principles of our Parliamentary representation. What the Reform Bill of 1832 aimed at, and in the main did, was to restore to the inhabitants of boroughs that power of choosing their own Representatives which, from a variety of causes, had fallen into other hands. What that Bill also aimed to do, and did, was to recognize the great changes which had taken place in the country in the distribution of wealth, of population, and of intelligence, and it gave representation to places which at that time were not represented at all. But the Reform Bill, as introduced by its promoters, did not aim at making any fundamental change in the principles of our Parliamentary representation. It maintained the distinction between the borough franchise and the county franchise; and while it fixed an occupation franchise as the qualification to vote in a borough, it left the property qualification for the county. Well, Sir, that principle was broken down, but not by the Whigs, and not by the Liberal Party. That principle was broken down by the Conservative Party, who introduced into the Reform Bill of 1832 the principle of a county franchise by occupation; and it was in consequence of the efforts of that Party that the alteration was made. Well, that was one step. What was the next step taken in hand by the Conservative Party? In 1867 that Party abandoned the test of the value of the house as a test of the qualification of the voter, and substituted for the qualification of value the qualification of the mere occupation of a house. It adopted the principle of giving a vote to every rateable householder. Now, this is the point up to which we have been led by the Conservative Party. We have got the occupation franchise in the county and the principle of the occupation of a house as the qualification for a vote in boroughs. I think that, under these circumstances, it is for the Conservative Party to say why we are to stop at this particular point. There is one answer which might be given to us, and which would, if it were given and could be maintained, be a conclusive answer. If hon. Gentlemen opposite would say, and would maintain and prove, that the class which are excluded now are different from those which have been admitted—or are inferior in any respect to those which have been admitted, or less qualified for the possession of the vote—that would be an intelligible ground why we should stop at the point to which they have led us, and it would be one which would require the most serious consideration. But that is precisely the argument which we do not hear, and which is not urged. On the contrary, every hon. Gentleman who gets up to speak against this Motion on the other side says he has not the slightest distrust of the agricultural labourer or of the voters who would be admitted under the proposal of my hon. Friend; that he views them exactly in the same light as he views the householders who are already admitted; and we fail to get from the Party opposite any assurance whatever that it is on that ground that they object to this extension of the suffrage. Well then, Sir, in that state of things it seems to me that it is only a question of time when this concession is to be granted. There is a word which we have often heard in these debates, and we have heard it to-night, both from the supporters and the opponents of this measure. It is "inevitable." "It is inevitable," say some of the opponents of the measure. But why? I think my right hon. Friend said last year, if he has not said this, that it is inevitable because no one would speak out on this question. Well, I think my right hon. Friend and those who speak in this way of themselves do their courage and the courage of their friends an injustice. I believe that if they were really convinced that there was mischief or danger in this proposal, they would speak out loud enough. But I believe the reason why there is no one found to speak against this proposal is, that they are not convinced of the danger, and that they cannot find any logical ground on which to resist it. "Inevitable" this change is, say also the supporters of the Motion, and they say it, it seems to me, with infinitely more justice, because, according to what they maintain, this is a claim which seems to be founded upon justice, and not upon justice only, but also upon expediency. I do not in the least want to contend that our Parliamentary institutions ought to be framed upon a model of perfect symmetry. I do not believe we are ever likely to attain such a point as that; but I do say, that unless practical reasons can be alleged against the proposition, there is a point beyond which it is clear that inequality and incongruity may be pushed, and as to which inequality and incongruity may become inexpedient. There is no advantage in apportioning our Parliamentary representation on a system of mere caprice, and so long as persons living under exactly the same conditions in different parts of the country are admitted here to the franchise, and those are absolutely excluded, I cannot do otherwise but hold that our Parliamentary system of representation is at present founded solely upon a principle of caprice. Sir, it is almost admitted that if this claim were urged with passion and with excitement, it would soon be granted. Well, now, Sir, I want to ask the House whether the fact that it is a claim not urged with passion and excitement is any good ground for its rejection. There is no doubt that the time will come when questions which interest largely the excluded portion of the population will be urged, I hope not with violence, but, certainly, with more excitement and more passion than it is now. I cannot help thinking it will be to the advantage of our Constitution and to the dignity of Parliament that this question should receive greater and more candid consideration under those circumstances than it does now. I say, as has been said by my right hon. Friend (Mr. Lowe), it is one of the greatest and most important subjects with which Parliament can ever have to deal. As to the re-distribution part of the question, it is one of the most difficult subjects we can have to deal with; but, surely, if the justice and expediency of the claim cannot be denied, it is on that account far more desirable that it should be dealt with, and should, if possible, be settled at a time when it is urged with calmness and moderation, than when it is urged with clamour and popular agitation. In this position of the question, it seems to me that the abstract arguments, of which we have heard so much in the discussion of to-night, are not of so much value as they might be under other circumstances. They are extremely interesting; but I cannot help thinking that they are not altogether relative to the point at issue. The fact is, that the case has been fully argued before another tribunal which has already decided; the question has been argued in the case of the householders in towns, and it has been decided in their favour. Without going into detail on the arguments which have been used to-night, I should like to ask the House whether there is one of the abstract arguments which have been used against this proposition to-night which might not have been urged with equal force—and, probably, was urged with equal force—in the case of the householders in towns? I hold, that unless new evidence has been brought — and I submit that no new evidence has been brought — the precedent of the boroughs must be decisive in this case also. Sooner or later it is a case that will be pressed. Therefore, unless new arguments and new evidence can be adduced against this claim, I hold that the verdict of this House must be in accordance with the verdict of preceding Parliaments, and must be in favour of the rated householders in counties. There is one argument of my right hon. Friend the Member for the University of London (Mr. Lowe) which I do not like to pass over altogether. My right hon. Friend laid great stress upon the point—and it was the main point of his argument—that this measure would be a precedent for further extension to manhood suffrage. Well, now, Sir, I must say I am quite unable to follow my right hon. Friend in that part of his argument. It seems to me that a precedent which has been established in boroughs is a very valid and weighty precedent in favour of extending the franchise to householders living in exactly the same position in counties. I cannot see that a precedent which has been established in boroughs, by being extended to counties would, in any degree whatever, be a precedent in favour of the admission to the franchise of persons living altogether in different positions and circumstances. I suppose my right hon. Friend will allow that there is a greater difference between a person who has not got a house of his own and a householder, than there is between a householder living outside a Parliamentary borough and a householder living within it. Because the extension of the franchise to a householder within a borough is an example to be followed in the case of his neighbour outside the boundary, I cannot see that that is any precedent whatever in the case of a person who lives in an altogether different position of things. At all events, on this point I may appeal to hon. Gentlemen who sit on the other side of the House. Do they think, or do they not think, that there was any principle in the measure that they passed in 1867? If they think that there was a principle in household suffrage; if they think that the adoption of household suffrage was a bar against a further lowering of the suffrage, why have they no confidence in that principle now; and why should they hesitate to extend to counties that suffrage they thought so excellent for the Parliamentary borough? Sir, I am inclined to think it is not abstract arguments, however they may be urged, that will weigh in this House. I believe that their hesitation is caused rather by the practical difficulty of the case in regard to the re-distribution of seats than by anything else. I think my hon. Friend the Member for the Border Boroughs (Mr. Trevelyan) has done very well to bring these two subjects together under the view of the House. He has done well, because I believe that whenever the House does proceed to deal practically with this question it will insist, as it has done before, that the question shall not be dealt with partially, but shall be dealt with as a whole. At the same time, I must protest against the idea that the two questions are to be confounded together. The question of the extension of the franchise should be altogether distinct and separate from that of re-distribution of seats. The case for re-distribution rests on very different grounds from those for the extension of the franchise. Sir, I have no doubt the House is acquainted with some statistics which were given in this House by the Earl of Beaconsfield, and which produced at that time a great impression on the House, and, with the permission of the House, I should like to refer to them for a moment. Shortly speaking, they were these—the Earl of Beaconsfield showed that there were 1,250,000 electors in boroughs, who returned 297 Members, and that under this proposal 1,750,000 in the counties would only return 187; and he said it would be impossible that the House could, without very great consideration, proceed to sanction a change which would bring about such an anomaly as that. I admit that it would be an anomaly to a certain extent; but it would not be an anomaly that would be created for the first time by the proposal of the hon. Member. What is the state of things now? What is the population of these counties which are represented by 187 Members? The population is 12,059,000, as compared with a borough population of 10,600,000. To a certain extent, therefore, that anomaly exists already, unless you admit that the unenfranchised class are unworthy of representation. Then the 900,000 or 1,000,000 voters will, you say, destroy the balance of the borough representation. Why will it destroy the representation? The balance of representation will be fairer than it is now. Those 1,000,000 voters will have a share—a small share, it is true—of the representation, whereas they have none now. The true statement of the case seems to be this—that the 800,000 who now have the franchise will no doubt, by the proposal of my hon. Friend, lose a portion of their Parliamentary representation. If you think they will lose too large a share of their Parliamentary power, the only remedy, no doubt, is that that share should be made up to them from some of the smaller boroughs which now possess representation altogether disproportionate to their size and importance. Well, Sir, I must confess that I am surprised that statistics of this character, depending upon an anomaly in our representation, should have been brought forward on that side of the House, and should have as much weight on that side of the House. Sir, my hon. Friend the Member for Chelsea (Sir Charles W. Dilke) has on other occasions brought forward exhaustive statistics for the purpose of showing the anomalies of our borough representation. I will not trouble the House at this late hour of the night with any details on that subject; but I will only mention one comparison, which I have no doubt is familiar to most hon. Members, and which, it appears to me, exhibits a great deal more curious anomaly than any to which the Earl of Beaconsfield referred. Compare the borough representation in boroughs with a population under 50,000, with those with a population over 50,000, and what is the result? In 191 boroughs, with a population of under 50,000, having in all a population of about 3,500,000, with 490,000 voters, 245 Members were returned; while in 60 boroughs, with a population of above 50,000, containing 9,500,000 inhabitants, or three times as many inhabitants, 1,244,000 electors, or about three times as many electors, only 114 Members, or less than half the other number, were returned. When anomalies of that sort exist, I do not say that they are necessarily to be swept away by perfect uniformity; but when anomalies of that sort exist, I do not understand a measure of expediency and justice such as I understand this to be, resisted on the other side merely on the ground of your creating such an anomaly as that stated by the Prime Minister. I do not think that my hon. Friend the Member for the Border Boroughs is called upon to produce any plan, and I do not think that we on this side are called upon to produce any plan for the re-distribution of seats by which this measure ought to be accompanied; but I adhere to what I said last year—that I have no wish to see the country divided into equal electoral districts. I have no desire—indeed, I should greatly regret—to see any city or community possessing any vitality deprived of its Representative in this House; but there are small, decaying boroughs which do not represent anything in particular; which do not represent any great interests of the nation; which are not progressive themselves, and which, in my opinion, are over represented. And, I believe, there are communities—rising and growing communities—and to which some of the Members for these small and decaying boroughs might with advantage be transferred. I believe there are other communities—agricultural, industrial, manufacturing, and commercial communities which do not possess that amount of representation which, by their importance, they are entitled to. I believe that, without going into equal electoral districts, or any scheme of that sort, it would not be difficult to frame a plan of re-distribution which would add strength and vitality to our Parliamentary representation, and I trust that some day or other the Parliament and the Government will be found which will undertake this task. I do not suppose it can be expected that in the midst of the arduous occupations which are now engrossing them, Her Majesty's Government will address themselves to this question; but I think it is to be regretted that during the four years which this Parliament has sat, and during which time no great or exciting question has occupied the time of the House, this question should not have received a greater amount of consideration and attention than it has had. They have not attempted to settle the question. It will have to be settled sooner or later, and if left to the future the question probably will have to be settled under circumstances less advantageous than those we have had up to now.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I agree with the noble Lord, that the debate which is now drawing to a conclusion has turned much more upon abstract arguments than upon practical considerations, and I shall not find it necessary to enter at very great length into the discussion of those arguments. We are not now in the position of a mere debating society; we are considering a question with a view to practical legislation. But, Sir, before I say a word on the general conduct and course of the debate, I wish to reply to an observation of the noble Lord as to the, as he said, inconsistent conduct of Her Majesty's Government respecting the question of Reform. The noble Lord asked how it was that the Conservative Party, who had for a considerable time been leading us in this matter, had all of a sudden come to a standstill, and refused to proceed any further in the same path. The noble Lord referred, too, to the Chandos Clause of the Act of 1832 and to the provisions of the Act of 1867, and he said that those proceedings implied such views on the part of those who now sit on these benches that it would be inconsistent of them if they now refused to go further in the same path—that is to say, in the direction of the Resolution of the hon. Member for the Border Boroughs. Well, I really do not understand what the meaning and feeling of the noble Lord can be in this matter. He said—"Having gone so far in 1867, why are you not prepared to go further now? Why do you maintain with respect to the counties a distinction which you did away with in that year with regard to the boroughs?" Well, but the noble Lord was himself a Member of the House in 1867. If I mistake not, he had a seat in the Cabinet which initiated the Reform Bill of the preceding year. The noble Lord knew perfectly well the course of the argument then, and I ask him, does he not remember the circumstances under which legislation proceeded? Does he not know that the distinction — the difference — between county and borough franchise was under consideration, and that the House of Commons deliberately decided that that difference should be maintained? Anyone not in that Parliament listening to the noble Lord to-night might imagine that in 1867 we were legislating with respect to the borough franchise, and nothing else. But that is not the case. We had at that time undertaken a great re-settlement of the representation of the country, and had to consider, not only the borough, but also the county franchise—and in the county franchise a great change was made. It was, in fact, reduced from £50 to £12. How was that done? It was done by a proposal made by the Government of the day to substitute £15 for £50. Then the hon. Gentleman (Mr. Locke King) who had always taken a deep interest in the question, proposed that instead of the £15 being agreed to, it should be £10. Then a discussion arose, and I think Sir Edward Dering proposed, as a compromise, that the intermediate sum of £12 should be adopted. After some discussion that compromise of £12 was adopted, not only without serious opposition, but without any opposition at all; and the noble Lord and his Friends not only sat by and assented to that being done, but they expressed by their Leader their approval of the maintenance of the franchise on a rating basis. I have here a speech made by my right hon. Friend the Member for Greenwich (Mr. Gladstone), and what did he say? He said that upon the whole they preferred the £10 rating, but they were prepared to accept the compromise; and then he expressed an earnest wish that it would be desirable so to settle this question that agitation should not be renewed. He said, further, that it was wise to make a settlement once for all, so as to avoid a renewal, at least on an early date, of the agitation on this question. Now, that was very important when we come to deal with the matter, not as an abstract question, nor as a debating society. When we come to deal with it as a question of practical legislation, you will have to consider what was the policy adopted at the time of the previous settlement by Parliament, when its attention had been concentrated upon a question which had been agitating the country for a considerable time, and which had been before that Parliament for two or three Sessions consecutively, and when a general settlement was being made. You must bear in mind that that settlement was made with a view to its being of a durable character. I do not say it was a question of its being of a final character—that is a wholly different question. From time to time, at long intervals, it may be wise to re-consider the representation of the country; but I say to re-consider it and pull it about every 10 years is a very serious consideration, and one to be very much guarded against. The hon. Member for the Border Boroughs comes forward and makes a proposal of a very large and serious character; I think the hon. Member for Orkney (Mr. Laing) spoke of it as a very small step, and there have been some observations from the noble Lord, I think, to the same effect. Indeed, anyone listening to this debate would suppose that the matter was of a very trivial character, and that the proposal was one to rectify a small and obvious anomaly. But, in point of fact, the effect of the proposal of the hon. Member for the Border Boroughs, if it were adopted, would be to introduce into the electoral body of the United Kingdom a larger number of new electors than was ever before introduced by any single Reform Bill. The great Reform Bill of 1867 introduced, all told, something like 1,200,000; but as far as I can see—I do not pretend to have studied the statistics very minutely—this proposal would introduce something not far from 1,500,000 new voters. At all events, without going minutely into the question of figures, the numbers that would be introduced would be so very large that they would very materially disturb and unsettle the bases of representation in this country. There can be no doubt that what the noble Lord said is perfectly true, that if you take such a step as this you would be obliged to accompany it with a very serious re-distribution of seats. It is always found necessary that that should be done; and, without attempting to go into the argument, you would find it impossible to introduce so large a measure of electoral extension without a very considerable re-distribution of seats. I will also express this opinion—that it would be necessary to consider in connection with the redistribution of seats other measures too, if we made so great a change in our electoral system. Perhaps you will have to pass some measure for the representation of minorities, or to make some arrangement that the agricultural labourers shall be fairly represented in proportion to those who live in the centres of population, and whose power is consequently much greater. These are all questions that would have to be considered, and very practical they are; and I think the House would be doing a most unwise thing if it were to assent to an abstract Resolution, not introducing any definite plan, and to commit itself to a principle which it could not leave on the books of Parliament without taking further steps to give effect to it. I could not help remarking that in the speech of the hon. Member for the Border Boroughs, and in the speech of the hon. Member for Chelsea, there was a great want, not only of explanation of the plan by which effect was to be given to the principle, but also a great deficiency of argument to show upon what plan his proposal rested. The arguments of the hon. Member for the Border Boroughs were directed to answering certain objections raised by the right hon. Gentleman the Member for the University of London (Mr. Lowe), in a very ably written article on the subject which appeared some months ago; and even in the speech of the hon. Member for Chelsea, it seemed to me that his arguments were for the most part of a negative character, and that he was speaking rather to answer the right hon. Gentleman than to expound the reasons for which he advocated the proposal. But, at the same time, I must say that in the speech of the hon. Member for Chelsea there were one or two indications which appeared to me rather of an ominous nature. He spoke of a comparison between the Legislatures of foreign countries, and compared those in which there was manhood suffrage favourably with those in which there was a restricted suffrage. That showed that he was not particularly alarmed at the prospect of manhood suffrage. I observed, also, that he said that in these cases the presumption is in favour of change, and that the burden of proof lay with those who resisted change. That, I think, is a very significant opinion, and we shall hardly be doing him an injustice if we suppose that he based them on some such principle as the divine right to vote—and if that is the principle that he holds, and that many people hold, I think it is most dangerous, and one to which the House ought most certainly not to consent. I have heard the right hon. Member for Birmingham (Mr. John Bright), who is generally far in advance on these questions, whilst discussing another measure —the propriety of granting the franchise to women—lay down a doctrine which was against the recognition of granting equal rights to all—that it was the right of the State to decide to whom they would entrust the franchise. I therefore do not believe that any large number of hon. Gentlemen opposite would adopt the principle advocated by the hon. Member for Chelsea. But we ought to have that clearly understood, and when we are asked to pass legislation of an abstract character, without any definite plan being laid down, and which is not supported by any sufficient argument, we ought to be careful not to bind ourselves to any principle. There was another observation made by the hon. Baronet to which I wish to refer. He spoke of the division which had taken place last year, and said that although the Motion was defeated here by a majority of the Members who voted, yet if you took the constituencies represented by those Members, you would find that there was a majority of the constituencies who were in favour of the Motion that was then rejected. Now, what is the use of an argument of that sort? Are we not only to take the votes of the Representatives, but to count up the number of persons represented by them. If you act on that principle you will find it a most inconvenient one. The hon. Member for Chelsea pointed to something like an approximation to electoral districts. Now if you are to have electoral districts, some of the consequences must follow which were pointed out by one hon. Member—that the representation of Ireland must be reduced by 40 or 50. ["No, no!"] I am not accepting that calculation; and I daresay if we were to come to discuss it, it would not be precisely correct, but there can be no doubt that the number would be considerably reduced. All these circumstances prove the danger of committing ourselves to an abstract Resolution of which we cannot foresee the results. Stress has been laid on the existing anomalies; but I would ask whether it is possible to get rid of all the anomalies of the British Constitution without at the same time getting rid of the British Constitution itself? There are anomalies in the British Constitution. It is not a piece of work put together by a clever joiner, but an organization which has grown up in the course of centuries, and which throws its shoots here and there, and presents a surface not entirely uniform and smooth, but all the stronger because it is not so. Other arguments have been adduced in this discussion. We have heard of the interests of a class not being fairly considered, unless that class is directly represented in this House; but I think that is a very dangerous argument to use. I do not think it has been proved that the interests of the class of whom we have been speaking are not regarded in this House. If, however, you lay down the principle that in order to get the interests of every class of the community properly represented in this House, you must admit that class to the franchise, I must ask where you are going to stop. Why are you going to stop at householders? I do not know that persons who are not householders may not have interests which ought to be equally represented with the interests of those who are householders. If you accept the principle to which I have just referred, where are you to find your answer to the claim put forward for granting the franchise to women? They have rights and interests that are to be considered, and they might say, on the principle which I am combating, that their rights could not be fairly considered unless they were admitted into the House of Commons. Therefore you should consider what principles you are admitting before you commit yourselves to an abstract Resolution of this kind. There is another principle which we might seem to be affirming, if we adopted this Resolution. That would be affirming, on the part of this House, an opinion that the present is the time at which it is desirable to take up this question. No one, I think, will doubt that I am right when I say that it is undesirable to pass an abstract Resolution of this kind, and then to say—"We leave it on the Books, and do not intend to do anything further with it." You had better set the matter aside than take a step of that kind, and I think even the promoters of the Resolution will say that this is no unreasonable proposition on my part. I ask hon. Members whether they think it desirable, at the present time, to enter upon a question which must again disturb and reopen from the bottom the whole representation of the country. I venture to think that this is a time when you will require firm and settled government. There was, I think, great force in many of the remarks of the right hon. Gentleman the Member for the City of London (Mr. Goschen) as to the difficulties experienced by the Executive Government in the state of its present relations to Parliament and the country. I hope that those difficulties may solve themselves; that, as we go on, we may learn to deal consistently and with courage with the questions which are raised; and that we may find it possible to do ample justice to the interests of those whom we represent without weakness or vacillation on the part of the Government. I am not speaking now of the present Government merely, but of the Executive Government, from whatever Party it may be drawn. To give the Executive Government, a fair chance of taking its proper place in the Constitution of the country it is desirable that we should have a time of repose from questions of this kind. I trust, therefore, that the House will agree with us in voting that the Speaker do leave the Chair, and that we shall not go into the questions which would be raised by the hon. Gentleman's Resolution.

Major NOLAN remarked that the population of Ireland was 5,340,000, and the total population of England and Wales was 22,000,000. Ireland had now 103 seats, but according to her population she was entitled to 109.

Question put.

The House *divided*:—Ayes 271; Noes 219: Majority 52.

AYES.

Adderley, rt. hn. Sir C.
Agnew, R. V.
Alexander, Colonel
Allen, Major
Allsopp, C.
Arkwright, A. P.
Arkwright, F.
Ashbury, J. L.
Assheton, R.
Astley, Sir J. D.
Bagge, Sir W.
Bailey, Sir J. R.
Balfour, A. J.
Baring, T. C.
Barne, F. St. J. N.
Barttelot, Sir W. B.
Bates, E.
Bateson, Sir T.
Bathurst, A. A.
Beach, rt. hon. Sir M. H.
Beach, W. W. B.
Bective, Earl of
Benett-Stanford, V. F.
Bentinck, rt. hon. G. C.
Bentinck, G. W. P.
Beresford, Lord C.
Beresford, G. De la P.
Beresford, Colonel M.
Birley, H.
Blackburne, Col. J. I.
Bourke, hon. R.
Bourne, Colonel
Bousfield, Colonel
Bowen, J. B.
Bowyer, Sir G.
Brise, Colonel R.
Broadley, W. H. H.
Brooks, W. C.
Bruce, Lord C.
Bruce, hon. T.
Bruen, H.
Brymer, W. E.
Bulwer, J. R.
Burghley, Lord
Burrell, Sir W. W.
Buxton, Sir R. J.
Cameron, D.
Campbell, C.
Cartwright, F.
Cave, rt. hon. S.
Cecil, Lord E. H. B. G.
Chaplin, Colonel E.
Chaplin, H.
Christie, W. L.
Churchill, Lord R.
Clive, Col. hon. G. W.
Close, M. C.
Clowes, S. W.
Cobbold, T. C.
Cole, Col. hon. H. A.
Coope, O. E.
Cordes, T.
Corry, hon. H. W. L.
Corry, J. P.
Cotton, W. J. R.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cust, H. C.
Davenport, W. B.
Deedes, W.
Denison, C. B.
Denison, W. E.
Dickson, Major A. G.
Digby, Col. hon. E.
Duff, J.
Dyott, Colonel R.
Eaton, H. W.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Egerton, hon. W.
Elliot, G. W.
Elphinstone, Sir J. D. H.
Estcourt, G. S.
Ewing, A. O.
Fellowes, E.
Fielden, J.
Finch, G. H.
Folkestone, Viscount
Forester, C. T. W.
Forsyth, W.
Foster, W. H.
Fraser, Sir W. A.
Fremantle, hon. T. F.
Freshfield, C. K.
Galway, Viscount
Gardner, J. T. Agg-
Gardner, R. Richardson-
Garnier, J. C.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Goddard, A. L.
Goldney, G.
Gordon, Sir A.
Gordon, W.
Goschen, rt. hon. G. J.
Grantham, W.
Greenall, Sir G.
Greene, E.
Gregory, G. B.
Hall, A. W.
Halsey, T. F.
Hamilton, Lord G.
Hamilton, Marquess of
Hamond, C. F.
Harcourt, E. W.
Hardcastle, E.
Hardy, rt. hon. G.
Hardy, S.
Hay, rt. hn. Sir J. C. D.
Heath, R.
Herbert, hon. S.
Hermon, E.
Hervey, Lord F.
Heygate, W. U.
Hick, J.
Hildyard, T. B. T.
Hinchingbrook, Visc.
Holford, J. P. G.
Holker, Sir J.
Holland, Sir H. T.
Holmesdale, Viscount
Home, Captain
Hood, Captain hon. A. W. A. N.
Hope, A. J. B. B.
Hubbard, E.
Isaac, S.
Johnson, J. G.
Johnstone, Sir F.
Jolliffe, hon. S.
Jones, J.
Kavanagh, A. MacM.
Kennard, Colonel
Kennaway, Sir J. H.
King-Harman, E. R.
Knight, F. W.
Knowles, T.
Lawrence, Sir T.
Learmonth, A.
Lechmere, Sir E. A. H.
Lee, Major V.
Legard, Sir C.
Legh, W. J.
Leighton, Sir B.
Leighton, S.
Lennox, Lord H. G.
Leslie, Sir J.
Lewis, C. E.
Lindsay, Colonel R. L.
Lindsay, Lord
Lloyd, S.
Lloyd, T. E.
Lopes, Sir M.
Lowe, rt. hon. R.
Lowther, hon. W.
Lowther, J.
Macartney, J. W. E.
M'Garel-Hogg, Sir J.
Majendie, L. A.
Makins, Colonel
Malcolm, J. W.
Mandeville, Viscount
Manners, rt. hn. Lord J.
March, Earl of
Marten, A. G.
Mellor, T. W.
Merewether, C. G.
Mills, Sir C. H.
Monckton, F.
Montgomery, Sir G. G.
Moray, H. E. S. H. D.
Morgan, hon. F.
Mowbray, rt. hon. J. R.
Mulholland, J.
Muncaster, Lord
Naghten, Lt.-Colonel
Newdegate, C. N.
Noel, rt, hon. G. J.
North, Colonel
Northcote, rt. hon. Sir S. H.
Onslow, D.
Paget, R. H.
Palk, Sir L.
Parker, Lt.-Col. W.
Pateshall, E.
Peek, Sir H.
Peel, rt. hon. Sir R.
Pell, A.
Pemberton, E. L.
Pennant, hon. G.
Peploe, Major
Percy, Earl
Plunket, hon. D. R.
Plunkett, hon. R.
Powell, W.
Praed, C. T.
Praed, H. B.
Price, Captain
Puleston, J. H.
Raikes, H. C.
Read, C. S.
Rendlesham, Lord
Repton, G. W.
Ridley, Sir M. W.
Ritchie, C. T.
Round, J.
Russell, Sir C.
Ryder, G. R.
Sackville, S. G. S.
Salt, T.
Sanderson, T. K.
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Scott, M. D.
Selwin - Ibbetson, Sir H. J.
Severne, J. E.
Simonds, W. B.
Smith, A.
Smith, F. C.
Smith, S. G.
Smith, rt. hn. W. H.
Smollett, P. B.
Somerset, Lord H. R. C.
Stanhope, hon. E.
Stanhope. W. T. W. S.
Stanley, Col. hon. F.
Starkie, J. P. C.
Steere, L.
Stewart, M. J.
Storer, G.
Sykes, C.
Talbot, J. G.
Taylor, rt. hon. Col.
Thornhill, T.
Thynne, Lord H. F.

The Chancellor of the Exchequer

Tollemache, hon. W. F.
Torr, J.
Tremayne, J.
Twells, P.
Verner, E. W.
Wait, W. K.
Walker, T. E.
Wallace, Sir R.
Walpole, rt. hon. S.
Walsh, hon. A.
Warburton, P. E.
Watney, J.
Welby-Gregory, Sir W.
Wellesley, Colonel
Wells, E.
Wethered, T. O.
Wheelhouse, W. S. J.
Whitelaw, A.
Wilmot, Sir H.
Wilmot, Sir J. E.
Woodd, B. T.
Wroughton, P.
Wyndham, hon. P.
Wynn, C. W. W.
Yarmouth, Earl of
Yorke, J. R.

TELLERS.

Dyke, Sir W. H.
Winn, R.

NOES.

Acland, Sir T. D.
Adam, rt. hon. W. P.
Allen, W. S.
Anderson, G.
Ashley, hon. E. M.
Backhouse, E.
Balfour, Sir G.
Barclay, J. W.
Barran, J.
Bass, A.
Baxter, rt. hon. W. E.
Bazley, Sir T.
Beaumont, Colonel F.
Beaumont, W. B.
Bell, I. L.
Biddulph, M.
Biggar, J. G.
Blake, T.
Blennerhassett, R. P.
Brady, J.
Brassey, H. A.
Brassey, T.
Briggs, W. E.
Bright, J. (Manchester)
Bright, rt. hon. J.
Bristowe, S. B.
Brocklehurst, W. C.
Brogden, A.
Brooks, M.
Brown, A. H.
Brown, J. C.
Browne, G. E.
Burt, T.
Cameron, C.
Campbell, Sir G.
Campbell-Bannerman, H.
Carington, hn. Col. W.
Cartwright, W. C.
Cavendish, Lord F. C.
Chadwick. D.
Chamberlain, J.
Chambers, Sir T.
Childers, rt. hon. H.
Cholmeley, Sir H.
Clarke, J. C.
Clifford, C. C.
Cole, H. T.
Colebrooke, Sir T. E.
Colman, J. J.
Conyngham, Lord F.
Corbett, J.
Cotes, C. C.
Cowan, J.
Cowen, J.
Cross, J. K.
Davies, D.
Delahunty, J.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Duff, M. E. G.
Dunbar, J.
Edwards, H.
Egerton, Adm. hon. F.
Ennis, N.
Errington, G.
Eyton, P. E.
Fawcett, H.
Fay, C. J.
Ferguson, R.
Fitzmaurice, Lord E.
Forster, Sir C.
Forster, rt. hon. W. E.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir F.
Goldsmid, J.
Gordon, Lord D.
Gourley, E. T.
Gower, hon. E. F. L.
Grant, A.
Gray, E. D.
Grey, Earl de
Grosvenor, Lord R.
Hankey, T.
Harcourt, Sir W. V.
Harrison, C.
Harrison, J. F.
Hartington, Marq. of
Havelock, Sir H.
Hayter, A. D.
Herschell, F.
Hibbert, J. T.
Hill, T. R.
Holland, S.
Holms, W.
Howard, hon. C.
Hutchinson, J. D.
Ingram, W. J.
Jackson, Sir H. M.
James, W. H.
James, Sir H.
Jenkins, D. J.
Jenkins, E.
Johnstone, Sir H.
Kay-Shuttleworth, Sir U.
Kenealy, Dr.
Kensington, Lord
Kingscote, Colonel
Kirk, G. H.
Knatchbull-Hugessen, rt. hon. E.
Laing, S.
Lambert, N. G.
Laverton, A.
Lawrence, Sir J. C.
Lawson, Sir W.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Leith, J. F.
Lloyd, M.
Locke, J.
Lorne, Marquess of
Lubbock, Sir J.
Lush, Dr.
Lusk, Sir A.
Macdonald, A.
Macduff, Viscount
Mackintosh, C. F.
M'Arthur, A.
M'Arthur, W.
M'Kenna, Sir J. N.
M'Lagan, P.
M'Laren, D.
Maitland, J.
Maitland, W. F.
Marjoribanks, Sir D. C.
Marling, S. S.
Massey, rt. hon. W. N.
Middleton, Sir A. E.
Milbank, F. A.
Monk, C. J.
Montagu, rt. hn. Lord R.
Morgan, G. O.
Morley, S.
Mundella, A. J.
Muntz, P. H.
Noel, E.
Nolan, Major
Norwood, C. M.
O'Byrne, W. R.
O'Clery, K.
O'Conor, D. M.
O'Donnell, F. H.
O'Reilly, M.
O'Shaughnessy, R.
O'Sullivan, W. H.
Palmer, C. M.
Parker, C. S.
Parnell, C. S.
Peel, A. W.
Pender, J.
Pennington, F.
Perkins, Sir F.
Philips, R. N.
Playfair, rt. hon. L.
Plimsoll, S.
Potter, T. B.
Power, J. O'C.
Price, W. E.
Ralli, P.
Ramsay, J.
Rathbone, W.
Redmond, W. A.
Reed, E. J.
Richard, H.
Robertson, H.
Rothschild, Sir N. M. de
Russell, Lord A.
Rylands, P.
St. Aubyn, Sir J.
Samuda, J. D'A.
Samuelson, B.
Seely. C.
Sheil, E.
Sheridan, H. B.
Simon, Mr. Serjeant
Sinclair, Sir J. G. T.
Smith, E.
Smyth, R.
Spinks, Mr. Serjeant
Stansfeld, rt. hon. J.
Stanton, A. J.
Stevenson, J. C.
Stewart, J.
Stuart, Colonel
Sullivan, A. M.
Tavistock, Marquess of
Taylor, D.
Taylor, P. A.
Temple, right hon. W. Cowper-
Torrens, W. T. M'C.
Tracy, hon. F. S. A. Hanbury-
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, H. H.
Waddy, S. D.
Walter, J.
Ward, M. F.
Waterlow, Sir S. H.
Weguelin, T. M.
Whitbread, S.
Whitwell, J.
Whitworth, B.
Whitworth, W.
Williams, W.
Wilson, C.
Yeaman, J.
Young, A. W.

TELLERS.

Dilke, Sir C.
Trevelyan, G. O.

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Original Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

MERCHANT SEAMEN BILL.—[Bill 79.]

(*Sir Charles Adderley, Mr. Edward Stanhope.*)

NOMINATION OF SELECT COMMITTEE.

Motion made, and Question proposed, "That the Select Committee on the Merchant Seamen Bill do consist of Seventeen Members." — (*Sir Charles Adderley.*)

Major NOLAN moved, as an Amendment, that the Committee should consist of 19 Members. He complained that the Committee had been so struck as not to include a single Irish Member; and, in order to rectify the omission, he would suggest to the President of the Board of Trade that he should add the name of the hon. Member for Limerick, who not only represented a mercantile marine constituency, but had given a great deal of attention to mercantile marine law. He complained that there were several other cases in which Irish Members were either altogether excluded from, or were not given their proper representation on, Committees; and pointed out that there was a danger that the injustice might be repeated in the huddling through of lists that should have been struck before.

Amendment proposed, to leave out the word "Seventeen" in order to insert the word "Nineteen," — (*Major Nolan,*)—instead thereof.

Question proposed, "That the word 'Seventeen' stand part of the Question."

Sir CHARLES ADDERLEY, in reply, said, that the Committee which had been constituted with the greatest care, and with the view of securing those hon. Members most acquainted with the subject of the Merchant Seamen Bill, was already too large, and that the addition of two more names would make it unmanageable. An Irish Member had been appointed—the hon. Member for Belfast (Mr. J. Corry); and the peculiar views of hon. Gentlemen opposite on Home Rule would also be represented on the Committee by the hon. Member for Newcastle (Mr. Hamond), whose name he was about to add.

Mr. SULLIVAN said, he was surprised that the President of the Board of Trade should have run the number of his Committee so close that the addition of another name would practically destroy its operation. As there were principles involved in the Bill against which he and some of his hon. Colleagues had thought it right to make a stand on a former occasion, it was highly desirable that the Irish Members should be represented on the Committee; and as the President of the Board of Trade would not relent, he appealed to the grace, generosity, and wisdom of the Chancellor of the Exchequer to concede the request of the Amendment.

Mr. J. W. BARCLAY said, if Irish Members had a grievance in the matter, Scotch Members had even a greater one. With such important ports as Glasgow, Leith, Aberdeen, and Dundee, Scotland ought to be represented on the Committee; and, whether he was supported by his hon. Colleagues or not, he should insist upon the addition of a Scotch Member.

Mr. GOLDSMID strongly complained of the method of appointment to Committees, upon which young Members were scarcely ever placed. Some hon. Gentlemen were Members of four or five Committees, sitting at the same time; therefore, it was impossible they could give a proper attention to their duties. While this was occurring, there were other hon. Members having nothing to do who were willing and able to serve, and who would be of considerable use.

Sir GEORGE BOWYER said, he had, on a former occasion, made the observation that no one could tell on what principle the Committees were struck. He was sure there were a number of industrious Members who would be very glad to take their share in the Committee work of the House.

Mr. O'SULLIVAN suggested to the Chancellor of the Exchequer, that in order to avoid a division, he should consent to add one Irish and one Scotch Member to the Committee.

The CHANCELLOR of the EXCHEQUER promised, if the Amendment were withdrawn, to consider the addition of two names.

Amendment, by leave, *withdrawn.*

Main Question put.

Ordered, that the Select Committee do consist of Seventeen Members:—Mr. Hamond and Mr. Macdonald *added* to the Committee.

LOCAL GOVERNMENT AND TAXATION OF TOWNS (IRELAND).

Select Committee of last Session, "to inquire into the operation in Ireland of the following statutes, 9 Geo. 4, c. 82, 3 and 4 Vic. c. 108, 17 and 18 Vic. c. 103, and the Acts altering and amending the same; and to report whether any and what alterations are advisable in the Law relating to Local Government and Taxation of Cities and Towns in that part of the United Kingdom," *re-appointed* :—Committee to consist of Seventeen Members: — Committee *nominated* : — Mr. KAVANAGH, Mr. BUTT, Sir ARTHUR GUINNESS, Mr. BROOKS, Mr. MULHOLLAND, Mr. COLLINS, Mr. ASSHETON, Mr. RATHBONE, Mr. ATTORNEY GENERAL for IRELAND, Sir JOSEPH M'KENNA, Mr. BRUEN, Mr. O'SHAUGHNESSY, Mr. CHARLES LEWIS, Dr. WARD, Mr. JAMES CORRY, Mr. MURPHY, and Sir MICHAEL HICKS-BEACH: — Power to send for persons, papers, and records; Five to be the quorum.

MR. GRAY expressed a hope that the investigations of the Committee would be rendered more complete by the subject of the re-arrangement of municipal boundaries being made part of the Reference.

SIR MICHAEL HICKS - BEACH said, that it would be competent for the Committee to make some representation on the subject. Last Session the Committee had made a recommendation, upon which the Lord Lieutenant had appointed Mr. O'Brien, a most intelligent Local Government Board Inspector, to prepare a general Report on the areas of local administration in Ireland. It would be impossible within reasonable limits of time, to investigate each particular case; and, indeed, he did not understand the hon. Member for Tipperary (Mr. Gray) to suggest this; and Mr. O'Brien's Report, when laid before the Committee, would doubtless receive every consideration.

METROPOLIS MANAGEMENT AND BUILDING ACTS AMENDMENT BILL.

Select Committee on the Metropolis Management and Building Acts Amendment Bill to consist of Nine Members:—Committee *nominated* :—Viscount BARRINGTON, Lord EDMOND FITZMAURICE, Mr. STANSFELD, Sir JAMES LAWRENCE, Sir ANDREW LUSK, Sir JAMES M'GAREL-HOGG, Mr. GOLDNEY, Mr. TORR, and Mr. ONSLOW:—Five to be the quorum.

Ordered, That all Petitions against the Bill presented on or before the 1st day of March next be referred to the Committee; and all Petitioners be heard by themselves, their Counsel, Agents, and witnesses upon their Petitions, if they think fit, and Counsel be heard in favour of the Bill against the said Petitions.

Ordered, That the Reports 1876 and 1877, from the Select Committee on the Metropolitan Fire Brigade, be referred to the Committee.—(*Sir James M'Garel-Hogg.*)

House adjourned at a quarter before Two o'clock till Monday next.

HOUSE OF LORDS,

Monday, 25th February, 1878.

MINUTES.]—PUBLIC BILLS—*Royal Assent*—Consolidated Fund (£6,000,000) [41 *Vict.* c. 1]; Exchequer Bonds and Bills (£6,000,000) [41 *Vict.* c. 2]; House Occupiers Disqualification Removal [41 *Vict.* c. 3]; Parliamentary Elections (Metropolis) [41 *Vict.* c. 4]; Linen and Yarn Halls (Dublin) [41 *Vict.* c. i.]

PRIVATE BILLS.

On the Motion of the CHAIRMAN of COMMITTEES, it was—

Ordered, That this House will not receive any petition for a Private Bill after *Friday* the 15*th day of March* next, unless such Private Bill shall have been approved by the Chancery Division of the High Court of Justice; nor any petition for a Private Bill approved by the Chancery Division of the High Court of Justice after *Friday* the 3*rd day of May* next:

That this House will not receive any report from the Judges upon petitions presented to this House for Private Bills after *Friday* the 3*rd day of May* next.

THE EASTERN QUESTION—THE GREEK PROVINCES OF TURKEY.

QUESTION. OBSERVATIONS.

THE DUKE OF ARGYLL gave Notice that on Thursday week, the 7th March, he would call attention to the position in which we were placed with regard to the Treaties of 1856, and, as a matter of form, would move for the production of certain Correspondence on the subject. If the Government should think that that Correspondence could not be produced without detriment to the public service, of course, he would not press for it.

LORD EMLY asked the noble Earl the Secretary for Foreign Affairs, Whether he had any information as to the atrocities alleged to have been committed in Thessaly by Turkish irregular troops; and, if he had, whether he could say if any steps had been taken to prevent a recurrence of the employment of such troops? He also wished to know upon what understanding with Her Majesty's Government the Greek Government withdrew their troops from Thessaly and the other Greek Provinces of Turkey?

THE EARL OF DERBY: My Lords, I shall be very willing to give your Lordships any information I possess on this subject; but full details will be found in Papers which, I think, in the present state of affairs, there will be no difficulty in laying on the Table within a few days. With regard to the first Question of the noble Lord, the Greek *Chargé d'Affaires* has communicated reports of outrages stated to have been committed by Albanians and Ghegas in Thessaly after the withdrawal of the Greek troops. Immediately on receiving these reports I instructed Mr. Layard to bring the matter to the notice of the Turkish Government, and to express the earnest desire of Her Majesty's Government that proper steps might be taken to repress disorders in the Greek Provinces of Turkey. Mr. Layard having done so, reported that the Turkish Minister for Foreign Affairs had expressed some doubt as to the reality of the statements made, but had promised to give orders at once by telegraph to the authorities to remove the irregular troops whose conduct had been the principal ground of complaint, and to secure protection to the Christian population. In answer to the second portion of the noble Lord's Question—on what understanding the Greek Government was induced to withdraw their troops from the Turkish Provinces—the best reply I can give is by a brief statement of the facts as they occurred, and as they will be found in the Papers. The Greek troops occupied Turkish territory on the 2nd of February professedly to maintain order and from humane motives. Naturally, the Turkish Government did not view the matter in that light. On the 4th, intelligence reached Athens that the Turkish Fleet was on its way to the Piræus. On that day, or the day after—I am not sure which—I received a deputation of Greek gentlemen and others interested in Greece, praying that the protection of the British Government should be given to Greece in the event of hostilities on the part of Turkey. Obviously, it was my duty to explain to those gentlemen, that while we were anxious to do whatever might be in our power to put an end to the differences existing between the two Governments, and were ready to interpose if any acts were committed which were not sanctioned by the usages of civilized nations, still it must be borne in mind that the entry of Greek troops into the Turkish Provinces was an act of hostility, and that naturally and inevitably the Turkish Government would take measures to resist that proceeding. On the 5th—the day after the news of the sailing of the Turkish Fleet arrived at Athens—the Greek *Chargé d'Affaires* communicated a telegram from his Government, stating that the troops had been ordered not to advance any further into Turkish territory, and that if the Great Powers would guarantee the security of the inhabitants of the Greek Provinces of Turkey and protection of their rights, the Greek Government was disposed to order its troops to retire. Of course, we received that communication with satisfaction, and were willing, as far we could, to promise what the Greek Government desired; but it was necessary to have a clear understanding as to what it did desire, lest we should seem to engage ourselves to something more than it was in our power to do. Accordingly, in reply to the communication of the Greek *Chargé d'Affaires*, he was informed on the 6th of February that Her Majesty's Government did not clearly understand what was intended by a guarantee of the Powers for the security of the inhabitants of the Turkish Provinces; but so far as it might mean that the Government of Great Britain and other Governments should use their influence and their utmost endeavours to prevent the occurrence of disturbances and outrages on the population, Her Majesty's Government would certainly do all in their power within the limits mentioned to secure the inhabitants from lawless violence. They would also, on being informed of the withdrawal of the Greek troops, be ready to communicate with the Porte, and to urge that any hostile measures against Greece should be countermanded. On the day after—the 7th—we heard of the recall of the Greek troops, and in consequence of that the cessation of all hostilities. I believe this statement of facts answers the Questions of the noble Lord, but I shall shortly be prepared to lay on the Table the Papers on which my statement is founded, and which contain fuller details.

EARL MANVERS asked the noble Earl the Prime Minister, Whether he would inform the House what was the diplomatic distinction between a Congress and a Conference?

THE EARL OF BEACONSFIELD: My Lords, I really cannot explain the difference between a Congress and a Conference, because I do not recognize any difference between them. There is, I know, a common idea abroad that a Congress is a diplomatic Assembly in which the States which compose it are represented by Sovereigns, and a Conference an Assembly in which the States which compose it are represented by Plenipotentiaries; but I do not think myself that there is any foundation for that distinction. There was, for instance, the case of the Congress at Rastadt, which was held at the end of the last century—it was composed of Plenipotentiaries. There are other examples; but I need only recall the most recent instance—the Congress of Paris in 1856, in which the proceedings were carried on, not by the Sovereigns, but by their Plenipotentiaries.

RUSSIA AND THE PORTE—THE TREATIES OF 1856 AND 1871.—RESOLUTION.

LORD CAMPBELL, in rising to move—

> "That, in the opinion of this House, the correspondence on the affairs of Turkey justifies Her Majesty's Government in taking every precaution to discourage the serious encroachments by which the Treaties of 1856 and 1871 are threatened,"

said: It saves time, my Lords, on an occasion of this sort, to go on at once to a preliminary obstacle, even if it is but a matter of detail, which may occur to those who otherwise are ready to support you. The Bill which came before the House on Thursday night, it may appear to some, anticipates the purpose of the Motion. Had it led to any conflict of opinion, or prolonged debate, or fixed upon itself the marked attention of the world, it possibly might do so. But as the noble Earl the Prime Minister apparently considered it so much a matter of routine as not to speak beyond five minutes; as the noble and learned Lord upon the Woolsack, no doubt in the same sense, put the Question with such despatch, that only active men were able to present themselves, and that after the second reading had been carried, it does not seem to me that this effect can be imputed to it. What took place was more like the Appropriation Bill, whose smooth and easy passage through the House—although, of course, it might be thrown out—is not thought to have an international significance. At the best, as things stand, this House has only acquiesced; the other, after many pangs and labours, has initiated. Let me not appear, however, in any way to undervalue the discussion of Thursday last, and least of all the talent it elicited from those who joined in it. But so long as there are some results to be ensured in a considerable difficulty—not to overrate it—while it is uncertain how far that Bill ensures them, the House will not decline to entertain a supplemental proposition. The results which I allude to, are the avoidance of a war and the success of any Conference which happens. At the same time, I readily admit that the Motion loses one of the advantages it might have had a week ago; had it been then permitted to come forward. On that day we were on the eve of the German Parliament assembling. It had occurred to me, as it might indeed to all of us, that any Resolution your Lordships carried on that day would have a timely influence in Europe. Wherever a Conference arises, wherever a green table is set up, even should it be in that favoured spot where other tables used to be familiar, to save Constantinople at Berlin, will be as much as heretofore, the task of our statesmen. It is still to the last capital that many Powers look to measure the restraint imposed, the latitude accorded. We may be led to think that while the task has not been yet achieved, it is not yet to be despaired of. Unless, it seemed to me, a Motion of this kind, if carried by the House, would even now facilitate it, I could not face the many risks involved in urging it upon them. Before endeavouring to show that it tends to the avoidance of a war, one is compelled to answer those who see no other possible solution of the dangers which surround us. The right of Great Britain to go to war, they may allege, began when Russia crossed the Pruth without her sanction, and now that Constantinople is menaced day by day, could hardly be contested. Without pretending to deny the force of many things they urge, there is a fact which ought to be considered at this moment, because it seems to throw a light upon the path before us. Since the Revolution of 1688, Great Britain has been involved in nine wars, without including those of Africa and Asia. The first, as it is easy to recall, concluded with the Peace of Ryswick; the last, with the arrangements of 1856. All but three have been, if not brilliant in their course, at least in their termination, satisfactory. In those three the public was divided. They severally finished in 1748, in the loss of the American dependencies and in the Peace of Amiens. The lesson cannot be evaded that much has to be feared in a struggle which is not upheld by a distinct preponderance of judgment and of sentiment. Day by day—it may be said—the Russian Party is collapsing. But it exists. At this moment, it has recently been stated, two London journals only are allowed to cross the Russian frontier. When they are all excluded, unanimity will have declared itself by the most decisive register which it can possibly obtain. That a Resolution of this character tends to avoid a war is seen by merely glancing at the elements by which the public mind is so much agitated at this moment. The occupation of Constantinople would do more than anything, as it has long been pointed out, as everybody feels, to render war inevitable. Whatever indicates the fortitude of Parliament, whatever augurs a conclusion to resist it, diminishes the prospect of its happening. Material defence is sensibly reduced. The lines between the Sea of Marmora and the Black Sea, so frequently connected with the name of Sir John Burgoyne, have been abandoned. It is not less important, it is more so, to embody in decisive Constitutional and salutary forms the resolution of Great Britain to impose a check upon the Power, her weakness alone has lured through all its stages of aggression. The Foreign Office still invites us to depend on Russian assurances. Even if we do not look on such assurances with something more emphatic than distrust —the nation does so—it would still be worth while to prop and to encourage their fidelity. Besides, a Resolution of the kind must on obvious grounds impede those separate negotiations between Russia and the Porte from which European war would demonstrably emanate. We are now led to the other point, as to how the Motion bears on the success of any Conference which happens. It is desirable to glance at the advantage such a Resolution offers to any Plenipotentiary who represents us at the Conference and realize, although we cannot do it accurately, the kind of task he has before him. It is easy to perceive, at least, the task is far from being a light one. He is not backed up by a successful war as happened to Lord Castlereagh at Vienna, to Lord Clarendon at Paris. There are three unfortunate, or at least, uncomfortable instances behind him in which a Conference has not at all secured the objects of his country—however ably directed—that on Denmark, that on the Black Sea, and that which lately happened at Constantinople. He will have to counteract the aims, while he acknowledges the victories, of Russia. He goes there with the recent action of the Holy Alliance in his face, whether he endeavours to resist or to divide it. New problems of many kinds as regards administration in the East, will exercise and harass him. Deep dissimulation, practised incredulity, incessant vigilance, the power of avoiding errors, and the power of repairing them, with every other quality which his profession has matured, will scarcely make him independent of the best support which Parliament can offer him. He ought not to appear as representing a weak, distracted, hesitating Power in any of its branches. The society he enters will be too ready to insist that Great Britain has now permitted Russian influence to sway her; that, come what may, his language will not be sustained by the decision of the State he acts for, that all regard for public law, that all deference to Treaties, that all antagonism to encroachment has lately perished in his country. Will such a Resolution, coinciding with the Vote of Credit, be superfluous? Along the benches of the House there are not wanting individuals who, from their past career, and from the aptitudes obtained in it, might creditably undertake an office of this nature. Let them dismiss, if they think proper, all other trains of reasoning, and merely ask themselves whether, if they were going to-morrow to represent Great Britain at the Conference, they would wish a Resolution of the kind to be adopted or rejected. Unless the answer of their own minds is such as I anticipate, they ought not indeed to act with me to-night. But here it is important to remind them of one circumstance. The Resolution in no way involves the principle that the Treaties of 1856 are never to undergo modification. According to the separate and well-known Protocol of 1871, it is laid down that Treaties may be modified or abrogated by all the Powers which signed them; but not in any other form and not by any other agency. The Resolution I submit, on that point, would only be an affirmation of the Protocol. The House, I am convinced, perceives no danger that the Treaties of 1856 will be too sedulously vindicated. They will not be an iron wall to the diplomatist. The risk is all the other way. The interest of Europe evidently is to guard them from attack, until a salutary method of replacing them presents itself. As regards the language of the Notice, if something better can be framed, it ought, of course, to be amended. It has long occurred to me that while one man may be able to create a tragedy, an epic, or a novel in three volumes, sometimes even to draw up a code of laws, it requires several to frame a Resolultion which, however brief, becomes the voice of an Assembly. At least half a dozen had in some degree contributed to this one, before the appeal of the Government last week, imposed a general revision of it. But there is not the slightest reason why other noble Lords should not attempt to render it more equal to its purposes. I am ready to accede to anything which does so. The essential point is that the disposition of the House should be conveyed at the right time and in the least objectionable language. My Lords, if I refrain from further argument which bears directly on the Resolution, it is not because it is exhausted, but only from excessive fear of wasting the indulgence of the House, when there are other topics indispensable to glance at. Should anyone be still dissatisfied, I engage him only to reflect upon the present situation under the heads which present themselves to any mind habitually employed upon it. He will arrive himself at stronger grounds than I have offered for the Motion. Let him reflect upon it as to Treaties, and observe in how anomalous a manner they are suddenly revived by the proposal of a Conference, while the war itself had long consigned them to obscurity. Let him reflect upon it as to British interests, and ask himself how far those traced in the despatch of May 6th, can be secured when Russia has an optional control over the Dardanelles, although a British Fleet is anchored in the Sea of Marmora. Let him reflect upon it as to the welfare of the races subject to the Porte so recently, so vividly debated, and call to mind that all its proper barriers have vanished. The Constitution disappears, the friendly Embassies are silenced, and these races again depend on that ambiguous Protectorate, on that disorganizing sympathy from which the arms, the wisdom, and diplomacy of Europe had released them. If anyone is still dissatisfied, let him reflect upon the situation if he chooses, even as regards some new solution on the Bosphorus. He will find that whatever meditation can invent, ability mature, statesmen organize, or armies take under their shelter is opposed by the tremendous fact, that the catastrophe against which it guards is all but ripe, is all but irresistible already. By reflecting in these great categories on the events around us, he will observe much better than any speaker could explain, the grave and complex task to be imposed upon the British Representative, and the necessity of every aid which Parliament can furnish him. Were it not for long experience of the noble Earl the Secretary of State, upon occasions of this kind, it would not be necessary to defend the Motion any longer. The noble Earl has seemed to look with an unvarying dislike on every Parliamentary proceeding, however favourable to the objects he is bound to cherish. He will not consent that the opinion of this House should be arrayed against the very elements with which he is contending. It was so during the question of the Vassal Principalities in 1875. It was so during the Servian insurrection. It was so when Russia only meditated conquest, and the decisive language of the House might have restrained her. It was so a month ago when the noble Earl, a strict enthusiastic patron of neutrality, was but required to affirm that neutrality would authorize the very measures which at last the Government are prosecuting. Nothing which falls from me can influence the noble Earl, unless, perhaps, I venture to address him in terms once uttered elsewhere by the Prime Minister —"When will you be warned?" The counsels which brought back the Fleet, which might have bred a mutiny within it, may be arrayed against me. It may be deemed essential by the Government to propitiate the noble Earl by a resistance to the Motion they would cheerfully accede to. However, the noble Earl, like other men, may gain by his experience. There is a line in *Coriolanus* it would well become him to remember—

> "Sir, those cold ways,
> Which seem like prudent helps, are very poisons
> When the disease is violent."

I would not finish the quotation so far as to add—

> "Lay hands upon him and bear him to the rock."

But unless the tenor of the noble Earl is gravely altered, both in .Parliament and out of it, he may draw upon himself from every corner of the Kingdom another line of the same tragedy—

> "He's a disease which must be cut away."

But in the matter of Parliamentary proceedings, it is but just to recollect that the noble Earl from time to time may be directed, not by his own mind, but by the Bench which technically speaking is arrayed to criticize his policy. It is a natural if not legitimate infirmity. But to please that Bench for him is utterly impossible, since no mode of thinking on the Eastern Question which exists has not occasionally fallen from it. On this occasion therefore, the noble Earl has nothing but the reason of the case, the interests of peace, the objects of the Conference to guide him. It would be inadvertent to forget that the noble Earl the former Secretary of State (Earl Granville) has gone out of his way to proclaim hostility to such a Motion as the present. He is reported to have said that it was difficult to understand it as a Vote of Censure or of Confidence towards Her Majesty's Administration. It is on this very ground it ought to be adopted. A Vote of Censure would be out of place when the Government are making greater efforts than they did during the autumn. A Vote of Confidence would scarcely be appropriate, when all mankind repeat, that under whatever pressure, or whatever disadvantages, they have brought the country to embarrassments not often known in its history. Where is it laid down that every Resolution which tends to fortify a diplomatic step about to be attempted, or guard against a foreign danger known to exist, must be a Vote of Censure on the one hand, or of Confidence on the other? Is it in Blackstone, or Delolme, if ever the latter personage existed? Is it in May, or Hatsell, who both come nearer to the vitals of the subject? Or is it so expounded by that original, attractive, lucid commentator on our system, the much-deplored, the highly-gifted Mr. Bagehot? When this House resolved, during the Government of Lord Oxford and Lord Bolingbroke, that no peace which united the Crowns of Spain and France would be acceptable, was that a Vote of Censure or Confidence? It seems to me to have been rather one of indication of direction, possibly encouragement. In this country, it is usual to remark, one precedent suffices. But I will not pursue the topic as the noble Earl has intimated his reluctance to take a part in the debate. If he divides the House against me, I only ask him to persist in tactics so consummate. But some noble Lords on this side of the House, whose concurrence with the Motion I well know to be essential to it, may reason, that as the late Prime Minister opposed the Vote of Credit, he would be unfriendly to a Resolution in any manner qualified to strengthen its effect. Although he has avowedly withdrawn from Party life, or Party Leadership, they cannot wholly disengage their minds from an allegiance to him. It illustrates his eminence; it is a proof of his ascendancy. His recent conduct, for almost two years, upon the Eastern Question, is much too large a theme for me, although it would be perfectly in Order to allude to it. It is only by some outlying thread which happens to present itself, one can approach it for a minute. There is one point on which he has repeatedly expatiated out-of-doors, if not in Parliament, and on which it seems to me my noble Friends can never thoroughly concur with him. It is that accusation or invective against Russian policy is futile, because it has now gone for a considerable period. In his own expressive phrase—the phrase could only come, perhaps, from such a master—it ought to be described as "superannuated rolling stock." But yet no change of facts has been pretended to give it such a character, or take away the application, and the force, which previously belonged to it. At least my noble Friends might ask themselves to what extent would this new principle conduct us? Adam Smith has flourished now 100 years as an authority. He has not, therefore, any claim upon adherents. Civil and religious liberty have been asserted for two centuries. We must dismiss them to the lumber-room where ancient samples are collected. The Bill of Rights has lasted many years. It ought no longer to be held in veneration. In what quarter has this appalling paradox originated? It is propounded by a courtier of the masses, who looks to popular excitement as the mechanism by which a new and Russian school in foreign policy may be upheld. From him we learn—it may be in an unguarded moment which restless heat had brought about—that truth is not to be revered when it is no longer esoteric; that all its force is gone as soon as generations have endorsed, and numbers have re-echoed it. But there is another easy test how far my noble Friends ought to accept the late Prime Minister with perfect faith upon these subjects. Have the Continental Liberals supported him, or, on the contrary, repelled him? My noble Friends will recollect that the question does not bear upon the institutions of Great Britain, that it is altogether European and cosmopolite. It would be laughable to urge—and nobody has done so—that as regards the East, Liberal opinion dictated separate conclusions at London, Paris, Berlin, and Vienna. If the new doctrine is sound for us, in all those capitals it is so. What has happened? Except among ourselves, too near the wand of the enchanter—as my noble Friends regard him—the representatives of Liberal opinion have utterly disclaimed the school which he is organizing. Kossuth indignantly exposes it, from the volcano men had thought to be burnt out. Karl Blind, well known in the German Empire as something of a democratic leader, no less eagerly assails it. M. Gambetta who has an organ—unlike Her Majesty's Government, as we were told the other night—in that organ is habitually denouncing it. It would be verging upon irony to say that such authorities have local means of studying the Eastern difficulty as great as those of the right hon. Gentleman, when so much more might safely be asserted. He appears, therefore, to be positively isolated from minds whose sanction was essential to the doctrine he proposed. But if no arguments at home, and no facts abroad would be sufficient for the purpose, at least the late Prime Minister himself might disengage my noble Friends from all adherence to his Eastern system. He has done it. Unless so many eyes, so many thoughts were fixed on distant scenes, it would not be forgotten for a moment. Within a few weeks the late Prime Minister has inaugurated a club to the memory of Lord Palmerston. A club in our days, as regards the honour it confers, is like a temple with the ancients. You cannot get beyond it. Statues there are many; but at present only two distinguished names—in politics at least—are kept alive by clubs in the metropolis. What did such a step amount to? It amounted to a solemn fiat, accompanied by all the gravity of which the late Prime Minister is capable, that the mind of Lord Palmerston should now direct our counsels, at least in the sphere in which it was pre-eminent. The echo comes from every quarter. What do men say in streets, in railways, and in hunting-fields? They say—"If we had only had a week or fortnight of Lord Palmerston." An elector from a distant province wrote not long ago to obtain an order for the Abbey, on the ground that he would take away the backbone of Lord Palmerston, and fling it into the Executive. But if Lord Palmerston is now to animate our policy, the late Prime Minister dethrones himself, while he disperses his adherents. The line of Lord Palmerston can never be a Russian one. It need not be the line of war; it must be that of vigour, preparation, and precaution; it must meet overbearing force with temperate resistance; it must be calculated to support allies, and to intimidate opponents. In that sense the Motion is conceived. In that sense my noble Friends are now at liberty to sanction it. But still I know the doubt which will suggest itself. It will be asked, how comes it that the late Prime Minister has gained or lately had so much control over opinion, over policy relating to this subject, if, in fact, his title to possess it was so slender; and if he now disclaims the title he had formerly usurped? There are many explanations of the circumstance too long, too painful to be given. But I shall touch on one to-night, with the permission of your Lordships. The leading argument against him is in some respects too cogent to be handled. Let me explain myself. In 1853 and 1854 the politicians who desired to array Great Britain against Russia, when her design had been unmasked, had only to point out that, for the interest of Europe, Constantinople and the avenues which lead to it required to be defended. A course of reasoning, on certain geographical, strategical, political foundations had to be submitted, and there the topic ended. Although they still exist, the case is now a different one. To show that when so much was gained, it ought not to be parted with; that blood so freely spent should not be unproductive; that there ought not to be an ignominious flight across the Alma; that the swords of Balaclava should hardly be connected with a murderous parade, the toils of Inkerman reduced into a sanguinary field-day, the debarkation of three armies turned into manœuvres for the autumn; that a peace of 40 years should not be ineffectually broken; that Great Britain should not array herself against the leading tyranny of Europe, to be afterwards its vassal; or establish a benign defence of all the races subject to the Porte, in order to abandon them; or form a citadel of public law to mock and to desert it; this topic, it might well occur to anyone, the united orators of ancient and modern times would not be able fully to delineate. What follows? It is scarcely pointed out; it is forgotten. So, my Lords, extremes are found to meet each other. While one weapon is so slight and fragile that men will hardly take it up, another may be so keen, so ponderous, so irresistible, if adequately handled, that men would rather leave it on the ground than prove their inability for meeting its demands upon them. It is the old story. Nobody could draw the bow of Ulysses. A bow of that sort is in question. The Prime Minister might try it. But, when anyone suffices for the labour, two arrows may perhaps be seen darting from its tension—one to wing its way into the deepest sensibilities, the proudest recollections diffused by the Crimean War alike in hovels and in palaces; the other which, transfixing, would attach for ever to the ground the impious school who have aspired to plough over its laurels. Let me defend the epithet which I have chosen, and show that impious is the very term to be applied to them. The school in question have promulgated a line of foreign policy revolting to the established feelings of mankind, under the flag of zeal for Christianity, in certain parts of Europe, where they think it is degraded. They have never shown that the concessions to encroaching violence they favour would tend in any way to its advantage, or dared to meet the arguments by which they have been frequently encountered. They still, however, try to move the world as friends of Christianity and as accomplices of tyranny. What can be more destructive as regards the object they avowedly pursue? Has Christianity no obstacle in this, as it has had in former ages? Can anyone be blind to the many forms of speculation which assail it, or to the boldness with it is now thought safe and decent to exhibit them? What a triumph is not given to this freethinking party, as they term themselves, if, under the name of Christianity, nations are instructed to abandon Treaties, to renounce Allies, to become at the same moment greedy of repose and prodigal of honour, incapable of sacrifice, insensible to duty, beyond their limited circumference? It is worthy of remark, however, that these reasoners, who are thus subverting Christianity by the handle which they give to its opponents, are the incessant scourges of the Mahometan religion. No stone is left unturned to weaken it or to vilify it. Their system bursts upon reflection. It is while overbearing power rises at their dictate, by one sinister blow to efface the Cross and Crescent both together, and plunge the world into the Russian night to which the last Lord Strangford—a better friend of the Bulgarians than the invading host—so mournfully alluded. Before that night is fixed, a further opportunity is yet presented to your Lordships to array yourselves against it. My Lords, it is with real concern I find how long I am detaining you. The House, however, will remember how much devolves upon anyone who has a Motion at such a time of such a character, and who may be severely blamed unless it is adopted by your Lordships. To warn my noble Friends—for the last time—against the school I have alluded to, let me remind them of its newest proposition. It is surpassing. That school is now contending that Great Britain ought not to seek the aid of Austria in the Conference, when Austria is beginning to awaken from the slumber in which the force of other countries had involved her. What else is there to rely upon? Those who think, as I have done, upon the Eastern Question for some years, have not the slightest reason to be partial to that Empire. They recall the part, at once a forward and a dangerous one, which Austria took in the Commercial Treaties with the Vassal Principalities. They recall the aid she gave, by means of General Rodich, to all the troubles which are sometimes called the fire of Herzegovina. They are not blind to her manœuvres at that period, although they may ascribe them to the absence from Vienna of the distinguished man who has become, in some degree, the second founder of the State which he adopted. According to the school in question, Austria is unsafe because her aberration is exhausted. So long as she is closely fixed in the Holy Alliance, they adore; as soon as she struggles to revert to her engagements to the Western Powers, she is an object of distrust and alienation. Deformity they hug; but when the wrinkles disappear, when beauty re-asserts herself, they fly away, like owls retiring before sunshine. Beyond that, in their unchecked simplicity, they aim at popular support, while trampling upon everything Hungarian—in other words, on everything genuinely Liberal—within the circle of that Empire. It is true, indeed, they have provided an alternative. Emboldened by the absolute impunity they meet with, and sheltered by a name so well known as that of the late Prime Minister, the new school inquire on what ground Russia and Great Britain cannot act together smoothly in the Conference? It really would not seem to be beyond the ordinary limits of the human mind to answer such a question. Russia seeks to overthrow at once the Treaties of 1856, Great Britain to maintain them until they can be properly re-organized. Russia has in view her own aggrandizement upon the Bosphorus; Great Britain looks to stronger combinations than the present one for checking it. The influence of Russia is wrapt up in the corrupt administration of European Turkey; Great Britain wishes to reform it. Russia looked with absolute dismay on Constitutional development among the subjects of the Porte; with one or two fanatical exceptions, Great Britain encouraged and applauded it as the best security for all improvement in that Empire. Russia, since 1815, has been disturbing and aggressive; Great Britain is bound by interest, by policy, and by tradition, to withstand her. They annihilated Poland; we looked with horror on the crime. They, so recently as 1870, under the present reign and with the present Chancellor in power, openly proclaimed defiance of international engagements; we are only urged to do so by the persons whom their example has depraved, or their diplomacy has fascinated. I shall only add a word or two which bear directly, or even technically, on the Motion now before your Lordships. It will not be denied that the recent Correspondence, including nearly all the history of the times, will justify precautions if they are at all to be defended. It will not be denied that the encroachments which now impend on the Treaties of 1856 are serious and even violent in character. It will not be denied that, however deeply they have slept, however unresisted the arms of Russia have marched over them, those Treaties are the only basis on which a Conference is vindicated. If everything now was lost, it would remain for Parliament, as far as possible, to give a dignity to fall, and to impart a splendour to calamity. If much remains to be attempted, the more decisively the language of the House is brought to bear upon the spirit of the people, the greater is the hope that, when our policy has ceased to hear a voice too long permitted to demoralize it, it may regain the heights which battle-fields still recent, which graves still young, which heroes ardent yet, entitle it to occupy. The noble Lord concluded by moving the Resolution.

Moved to resolve, That in the opinion of this House the recent correspondence on the affairs of Turkey justifies Her Majesty's Government in taking every precaution to discourage the serious encroachments by which the Treaties of 1856 and 1871 are threatened. — (*The Lord Stratheden and Campbell.*)

THE EARL OF DUNRAVEN said, that from the moment that the noble Lord (Lord Campbell) placed his first Motion on the Paper he made up his mind to support him, feeling that it was well the House should have another opportunity of pronouncing on the question now before their Lordships—more especially considering that the Bill relating to the £6,000,000 Vote of Credit had passed their Lordships' House unopposed, and practically, as a formal matter. He thought that the moral effect of passing the Vote of Credit in the other House was great and good; but the same process in their Lordships' House was comparatively a matter of form. The result was that their Lordship's House was not placed in complete accord with the House of Commons. He did not propose to enter into any details as to how far Treaties had been infringed, or whether those infringements might have been prevented; and there certainly was no necessity for him to attempt to show that what remained of those Treaties should be kept intact, considering that they afforded the only real ground upon which the European Powers could claim a right that the Eastern Question should be settled by the Conference, and not by private arrangement between the two belligerents. He should, however, just like to allude to the bases of peace, as he found them given in that morning's papers, and to say that he sincerely hoped they were incorrect. First of all, the question of the surrender of six Turkish ships of war was mentioned. If it were not so serious, the proposition would be almost ludicrous. Was it to be supposed that ships built in England, with English money advanced to Turkey, were to be handed over to Russia without England being consulted? Then there was the question of the Egyptian Tribute, which was to be charged as part of the security for the war indemnity—that was already hypothecated to England for special purposes. He thought the British bondholders and the shareholders of the Suez Canal would have something to say in that matter. Then the extradition of the Bulgarian Mussulmans was referred to. He did not know if that was to be made a question of religion or of race—whether the Mussulmans were to be removed or the Turks; for, as their Lordships were aware, of the Mussulman inhabitants of Turkey in Europe only about one-fourth belonged to the Turkish race. But, whichever way it might be settled, it was an act of spoliation for which it would be difficult to find a parallel. Then they were brought face to face with the subject of Armenia. For a long time Russia had said nothing, or very little, as to that. The Northern Eagle had taken upon itself the nature of that preternaturally wise parrot, which said nothing but thought all the more; and now we heard that the cession of all Armenia was demanded. But he begged the House to notice that Russia was already very close to England in the North of India. The distance which separated them was not greater than that from Perth to London. Now, if Russia were allowed to extend herself in Armenia and to command the Euphrates Valley, she would not only be close to England in the North, but she would be in a position to place herself close to her in the South; and British India would be like a nut between a pair of nutcrackers, ready to be cracked whenever it should so please the Czar. That contingency might not occur in their own time; but on this question they had a duty to perform to posterity. Englishmen had inherited this realm, in which they had only a life interest, and they were bound to deliver it—if not improved, at any rate intact, to those who came after them. It would be criminal and cowardly selfishness on the part of England in the present to shrink from spending money, and, if necessary, blood, in the defence of her interests, and to entail upon England in the future—and not in the far-distant future—an expenditure that might go far to ruin the country, and a war that might drain the life-blood of the country. As to the danger of minimising the advantages of the Christians in the Conference, he thought the sympathies of England had been so far aroused towards the Christians of Turkey that there was considerable danger of English interests being sacrificed in Europe. There was a strong feeling in the country, not warranted by facts, that Turkey had become so completely demoralized as not to be worth thinking about as a European Power, and that she could no longer be regarded as a bulwark against the aggressions of

Russia. He doubted very much if that was the case. If there was one fact that stood out from the war and had attracted attention everywhere, it was the marvellous vitality that Turkey had displayed. Whatever might become of the Sultan or of the governing classes, a people that had shown such wonderful moral and physical courage, and such high qualities, could not be wiped clean off the political slate by any such disaster as had befallen Turkey. He did not know what people were likely to be found stronger than the Turks to occupy their place. They knew what the Russians thought of the Roumanians. What were they to think of Servia, standing shivering and whining on the brink for months, anxious to obey the whistle of her master, but afraid to plunge into the cold waves of war? Did they think that Roumania or Servia afforded a better material of which to form a barrier to Russian progress in Europe than Turkey, weakened as she was? He had heard a great deal about "the unspeakable Turk," and the Mussulman religion being incompatible with progress and freedom. A great deal of this might be true; but he could not quite forget that to the Mohammedan Moors we owed the first revival of literature and science, which had introduced all the knowledge we now possess, and which was the best part of our boasted civilization. He could not forget that when Hungary, fighting for Constitutional freedom, was beaten down to the ground, the remnant that escaped were received by the hospitable Turks, who refused to give them up to the united demands of Austria and Russia. However black the pages of Turkish history might be, one could find something tangible to set up against it. But, on the other hand, when we looked at the other side of the account, what had we but empty protestations and high-sounding Christian professions with which to balance the long list of items under such headings as Poland, the Caucasus, and Khiva? He did not wish to be the apologist for Turkey or the Mohammedans. He had seen a good deal of them in many countries, and was not prepossessed in their favour; but he thought the sympathies of English people had been unduly raised in the one case, and their horror unduly aroused in the other. He thought it a matter for discussion whether the condition of the Christians was going to be improved so very much by their new masters. The parallel of Ireland had several times been mentioned within the last Session, and it was a good one. In Ireland we had two races—in reality they were but one, being completely blended—but, for the sake of argument, he would say two—and we had two religions. One race belonged to one religion, and the other to the second. And yet, out of this comparatively simple confusion, England, using its best endeavours, had been unable to produce good feeling and order. In Turkey they had five principal races—Slavs, Greeks, Bulgars, Wallachs, and Osmanlis—besides several minor races, such as Circassians, Tartars, &c.; and there were four great religions—Greek, Catholic, Mohammedan, and Gregorian; and, to make confusion worse confounded, the boundaries of races did not coincide with the boundaries of religions; yet they wondered that Turkey had been unable to evolve order out of that awful chaos and confusion. He did not say she had used her best endeavours; but he thought that under no other state of things would matters be much mended. He rather fancied that when they had driven out this single devil—"the unmentionable Turk"—seven other devils worse than he would enter in and take possession, and that the last state of that country would be worse than the first. Do not let them suppose for a moment that he was speaking in favour of war. He hated the very name of war. He had had an opportunity of seeing something of it, and he knew the reverse of the picture well. He was saturated with disgust at the horrors he had seen in war; but he was certain that the best way of keeping out of war was to show a bold front and take up a strong position. That, too, was the only means by which the excitement in the country could be allayed. It was very natural the country should be excited. Nothing was more dangerous than sudden reactions. England had been dancing very prettily to the sound of Russian piping for some time, and had but lately discovered how close to the edge of a precipice she had been drawn. The country was properly alarmed, and her nervousness could not be allayed by such telegrams as were read out to the House on Thursday, and which were, to his great surprise, enthusiastically received. They were told the Russians would not enter Gallipoli if we did not, and would not disembark troops on the Asiatic coast if we did not—and this announcement was applauded very much; but the Russians were within 15 miles of the lines of Boulair, into which they could walk any morning; and how long would it take us to disembark troops there? And one would suppose that they had no troops in Asia Minor. This was not fair play. He had never seen much profit made by playing pitch-and-toss with an adversary who adopted the principle of "heads I win, and tails you lose." They could not quiet the country with this kind of soothing syrup; England was not a child to be fed on such political pap. Being convinced that peace could only be maintained by our showing a bold and united front, and that this was the best means of allaying the excitement in the country, he hoped their Lordships would give unanimous support to the Resolution before them. He would like to mention one fact, though it was a disagreeable one, to their Lordships. England's word was not so strong as it used to be; it was not looked up to with the same respect. He knew it was hard for them to understand this; for they knew that England's heart beat as stout and true as ever it did, and that her arm had not lost its nervous vigour—but other nations did not know this. There was a time when England's word was very powerful; but such was not the case now. He knew it; for he spent the winter of 1869-70 at Versailles, when a little difficulty arose about some question of coal being contraband of war, and it was not pleasant for him as an Englishman even now to look back upon what he heard, felt, and saw then. For these reasons, it was necessary that England should assert herself very strongly, and therefore he hoped the House would unanimously support the Resolution.

Lord DORCHESTER said, that the feebleness and reticence of the Government had brought things to such a crisis that the season was passed for effective action. The proceedings of Her Majesty's Government in sending the Fleet to the Dardanelles and then telegraphing for it to come back on the following day had subjected this country—as he supposed the noble Earl the Foreign Secretary must be well aware—to the ridicule and derision of Europe. It was believed by the European Powers that England was a weak Power, and was divided against herself. But England was neither weak nor divided against herself. In this country there was a strong love of peace; but there was such a want of the expression of public feeling on this question as had not been known on any previous occasion when England was in half the danger she was in now. It was not his intention to decry anyone; but he thought that the hesitation that had been exhibited by the Government could hardly be said to be characteristic of an united Cabinet—and that, whether from internal differences or from whatever other cause, Her Majesty's Ministers had not exhibited that firmness of action which had been shown on former occasions in our history. He might be permitted to recall the action, not of Chatham, of Pitt, of Castlereagh, of Canning, or of Wellington, but of Lord Palmerston, who, writing some 25 years ago said—

> "The policy pursued by the Russian Government has always been to push forward its encroachments as far as the apathy or want of firmness of other Governments would allow; but always to stop and retire when it was met with decided resistance, and then to wait till the next favourable opportunity to make another spring upon its intended victim. In furtherance of this policy, the Russian Government has always two strings to its bow—"

he did not know if it was the bow of Ulysses—

> "Moderate language and disinterested professions at St. Petersburg and London; active aggression by her agents on the scene of operations. If aggression succeeds locally, the St. Petersburg Government accepts it as a *fait accompli* which it cannot honourably recede from; but if it fails, the acts of her agents are disowned."

He appealed to their Lordships whether that was not exactly the present situation? As to those wild and well-meaning enthusiasts who called public meetings in the Parks, he should imagine that what occurred yesterday in Hyde Park would satisfy them that the British public was not quite so easily led by the nose as they supposed. He yielded to no man in his Liberal sympathies, but he must say he thought this war had been very much promoted by these very enthusiasts. It was said that Russia had entered into the war from religious motives. What was the Russian religion? But he did not intend to take up time by a religious discussion, especially as the right rev. Prelates on the bench opposite might dispute his theory. He thought that any man must have but a small share of common sense who conscientiously believed that this war was undertaken upon religious principles. It was a war of aggression—it was a war of aggression like those that had resulted in the acquisition by Russia, of Finland, Livonia, Lithuania, Poland, the Crimea, and the Caucasus. He hardly believed that even the noble Duke (the Duke of Argyll), who had been bracketted with the penny-a-liners, could entertain conscientiously the opinion that this war had been carried on by Russia upon religious principles. It was with this feeling that he would urge their Lordships to support the Motion of the noble Lord, who had so independently, so fearlessly, and so ably brought this Resolution before their Lordships.

THE EARL OF DERBY: My Lords, I have been waiting to see whether any other noble Lord would rise to address you upon the subject of the Motion which has been made. As that is not the case, I will offer a few remarks; but in so doing I must decline to go over the wide field which has been opened by the noble Lord who brought in the Resolution. The noble Lord, as far as I am able to judge, has certainly the advantage of most speakers who address your Lordships, in respect of the difficulty anyone must feel in rising to reply to what he has said. The difficulty, to my mind, consists in this—that before answering his speech it is necessary to comprehend the meaning of the noble Lord's observations. The noble Lord has introduced a large field of subjects. He spoke of the bow of Ulysses, and then proceeded to speak of the clubs of London. He next dealt with the Crimean War, and touched upon the history of the successful and unsuccessful wars in which this country has been engaged since the Revolution of 1688. Then he went on to quote the opinions of Lord Palmerston and other distinguished statesmen. All these are interesting subjects for conversation; but how the noble Lord brought them to bear upon his Motion I confess, though it may be my fault, that I have been at a loss to see. I hardly know whether to notice the elaborate attack the noble Lord made upon me personally. I understood, on the whole, from the noble Lord's remarks, that, in his opinion, the Eastern Question will never be satisfactorily settled until something very disagreeable happens to me. Whatever may happen to me, the Eastern Question will, I am afraid, take a great deal both of time and of labour to settle; but of one thing I think your Lordships may feel certain, that it will not be settled by any mere outpouring of confused rhetoric and pompous platitudes. The noble Lord seems to think that I object to any Parliamentary action in regard to foreign affairs, even when taken in support of the policy which I myself advocate. I need hardly vindicate myself against such a charge—which, if it were justified, would imply not merely folly, but absurdity on my part. It is true, however, that during the last two or three years I have more than once deprecated the discussion of Resolutions proposed by the noble Lord—I have done so on the ground that those Resolutions would have no particular use or advantage if carried, and that if they did not represent the unanimous sense of the House, they would only have the effect of showing disunion—while the aim was to show that we were united. Well, the noble Lord says, that by passing this Resolution, we shall lessen the chances of war, and prevent separate negotiations between Russia and the Porte—how it would have that effect the noble Lord did not show—and he said it would prove that all regard to International Law and the observance of Treaties had not died out in this country. The noble Lord added that the passing of this Resolution would also produce many other excellent results which he would not enumerate in detail. If all these excellent results could be obtained by the adoption of this Motion of the noble Lord, I should certainly be one of the first to support it. But I fail to see how the Resolution of the noble Lord is to accomplish these objects. He says that it is neither a Vote of Censure nor one of Confidence; but it seems to me that it is a Vote, the meaning of which must be either that we are justified in taking the precautions that we are taking, or that there are other precautions which we should have taken, and which we have omitted to take. In the first of these two cases, the Motion is unnecessary; and, in the second, it says by implication that we have not done something which we ought to have done—and, in so far, it would be a Vote of Censure. In either case—whether the Motion is unnecessary or whether it is hostile—I shall ask your Lordships to meet it with the Previous Question. I now come to the speech of the noble Earl (the Earl of Dunraven), who supported the noble Lord; and I am sure your Lordships, whether you agree in all that he said or not, must have listened with interest and pleasure to the remarks which he made, and that you will join with me in hoping that he will not unfrequently address the House on future occasions. The noble Earl said he was glad that we had in the Resolution of the noble Lord an opportunity of expressing the opinions of your Lordships upon the Eastern Question. But I think your Lordships will agree with me, that there has not been any scarcity of such opportunities since the commencement of the Session; and, more than that—that these opportunities, so far as my recollection goes, have not been allowed to pass unused. I do not at all regret that it should have been so; on the contrary, I am glad of it, for I think when a subject so entirely occupies the public attention as this question does at the present moment, it cannot be otherwise than beneficial that it should be fully discussed in this House. The noble Earl went on to ask one or two Questions which I am not at present in a position to answer with certainty. He asked whether the Porte had been called upon to surrender her men-of-war? I do not like to give information which may be inaccurate; and, therefore, I will only say upon that, as I understand the present position of matters, that a demand was made for some part of the Turkish Fleet, that the Porte has refused, and that that refusal has been persisted in. If such a demand has been really made, which seems probable, though not absolutely certain, I have strong reasons for hoping that it will not be persisted in by the Russian Government.. With regard to the second point which the noble Earl raised—that of a war indemnity, to be secured on the Egyptian Tribute—if that be so—if any such intention is really entertained—it will raise questions which will undoubtedly have to be considered as affecting British interests. In regard to the third point—the alleged demand for the expulsion of the Mohammedan population from Bulgaria—when I heard the rumour of that demand, I did all I could to ascertain whether there was any truth in it. If such a demand as this has been made for the removal of a great body of people, I do not know where to look for a precedent for it. For two centuries and a-half certainly there has been no similar instance—none, in my belief, since the expulsion of the Moors from Spain. Upon the other hand, if, as I supposed from the first, the report on the subject was an exaggeration of something that had really been suggested, then I would say that in that case it is very desirable to ascertain in the first place what the demand really was, and how far it has been persisted in, before entering into a discussion, which is likely to give occasion for the expression of considerable indignation and excitement. I believe that, in any case, whatever the demand was, if any demand of that kind was really put forward, it has either been withdrawn, or greatly modified. Probably we may soon be in a position to say what has passed on the subject; but I hope we may relieve our minds from the apprehension that anything is likely to take place of such a nature as has been supposed. My Lords, I do not know that I need follow the noble Earl (the Earl of Dunraven) in the remarks which he made as to the importance of Armenia to this country. That is a question, as we all know, upon which great difference of opinion exists among persons who are competent to speak with more or less authority upon the subject. For the present I content myself with observing that I do not think the noble Earl has given a very good reason for the importance which he ascribes to the possession of the Armenian territory, when he said—"You are apt to forget how near the Russians are to India." That may or may not be true, but the acquisition of Armenia by the Russians, whatever other consequences it might have, would not have the effect of bringing the Russian Armies nearer to India. I must advert, at the same time, to the remaining statement of the noble Earl, and to the remarks which were made by the noble Lord who followed him (Lord Dorchester). Both of them complained that we had not taken the firm and resolute attitude in this matter which the circumstances called for, and that England had, in consequence, been lowered in the opinion of foreign countries, and that generally we were thought weak and divided—not from the absence of a decided public opinion, but because that opinion had not been fully expressed. Whatever may be thought of the present situation, I do not think that it can be said that public opinion on both sides of this question has not had a very full and fair expression. The truth, I believe, is this—that a large number of persons who thoroughly supported the policy of neutrality in the first instance did so, perhaps, not altogether foreseeing or not altogether considering what that policy of neutrality involved. We had three courses open to us at the beginning. We might, as some few persons proposed, have so far sided with Russia as to join our action with hers, and prevented her acting in an isolated manner. That proposition was supported by so small a minority of persons that I do not think I need further refer to it. There were the other two alternatives open to us—either to remain neutral, or to do as we did at the time of the Crimean War, and to have announced our intention to maintain the Treaties of 1856 and 1871, and to support that determination by war. Those proposals were fairly put before the country and the Government, and a great majority of the English people deliberately determined that, under the altered circumstances of the time, an adherence to the policy which led to the Crimean War was no longer desirable. When we took the determination to remain neutral every reflecting person knew what it involved. We knew that Russia was the more powerful of the two combatants; we knew that, sooner or later, whatever resistance might be made by Turkey, that resistance must be overpowered, and that a state of things would be brought about very different from what had existed before. I can quite understand that many people who a year ago felt nothing so strongly as the undesirableness of engaging in war, are now of a different opinion, because they did not then fully contemplate the results of a policy of neutrality. But I say with respect, that before any charges of vacillation, hesitation, or want of firmness are brought against us, we ought to know upon what fact, upon what act, or absence of action, these charges are founded. We defined our conditions of neutrality at the beginning of the war; we have adhered to those conditions so defined, and no one either inside or out of this House has attempted to show that we have departed from the line we then laid down. I think when that is shown it will be time enough to charge us with weakness, vacillation, or inconsistency; but I say it is not fair to complain of those who have to administer the affairs of the country, because a state of things has occurred which is the natural, the necessary, and the inevitable result of that policy which the Government, supported by the nation, deliberately adopted 12 months ago.

LORD HOUGHTON thought the noble Earl had hardly done justice to the Resolution. Its main object was to declare that the present state of things justified Her Majesty's Government in taking every precaution to discourage the serious encroachments by which the Treaties of 1856 and 1871 were threatened, and he thought its adoption by their Lordships might take place without implying any condemnation of any portion of the Government's former policy. The noble Earl (the Earl of Derby) had spoken with a certain sense of injury of a small amount of criticism being brought to bear upon the conduct of the Government; but when it was considered that from the very begining of the Session no censure had been passed—almost all criticism had been abstained from, lest there should seem to be a divided opinion in that House—the noble Earl ought not to be surprised that on the present occasion, when public opinion was so very much excited upon this matter, he should have been subjected to criticism. It was in consequence of the action of the Government that he thought the basis of the Resolution of his noble Friend was required. The neutrality of Her Majesty's Government was from the beginning a "conditional neutrality;" and a distinguished Member of Her Majesty's Government (Mr. Cross) laid down the conditions of that neutrality with very great precision—he thought, indeed, with too great precision—for he did not consider it advisable that those special points should be selected from the general political action of Her Majesty's Government in the distinct way in which they were. That very distinctness had already caused some misapprehension, and might yet be the cause of serious difficulties to Her Majesty's Government in the future. One of the points laid down in those conditions was that a Russian occupation of Constantinople was one of the special bases upon which Her Majesty's Government should feel themselves justified even in taking hostile action. That being the case, Her Majesty's Government could not be surprised that, when the Russian forces were massed within 20 miles of Constantinople, the public mind should be very much exercised, and that they should be seriously questioned as to whether they meant their words to be taken in a literal sense—in the way in which they had been interpreted by the country. He was the last to desire to cast a censure upon Her Majesty's Government; but he could not help feeling that the very precision they gave to those terms was a pregnant cause of the great public excitement. His noble Friend (Lord Campbell) wished to lay down as distinctly as possible the fact, that if we entered into any discussion upon this matter either with Russia or any other of the Powers of Europe, it should be on the basis of those great Treaties which had been entered into. One of the greatest political misfortunes which had followed the present disastrous state of things had been the depreciation and disavowal of Treaties which had come from the lips of distinguished persons both in that and the other House of Parliament. Treaties, of course, were not perpetual, and they must sometimes be revised and even abrogated; but, surely, the present was not the time for such an assertion to be made. It was of the utmost importance that it should be understood that this country did rely absolutely and distinctly upon those great national obligations, and that we took no part whatever in any infringements of them. He entirely dissented from the noble Lord's proposition that the sending of the Fleet to Constantinople without the consent of the Sultan was an infraction of that principle. The Sultan, at present, was not a free agent; he gave his consent to what was forced upon him. If the Russians had a right to be at Constantinople, so, of course, had we. By what possible principle of international obligation could it be said that the invader might go to the very throat of his opponent, and we, who respected international obligations, had not the right, if we chose, of going to the rescue? However that might be, it ought to be clearly understood that if we went into Conference, we should do so on the bases of these Treaties. If this country recognized the right of one party to an engagement to tear it up, it would, by so doing, declare that the Ottoman Empire was extinct, and that Russia was dominant in the East. It was for that reason, he thought their Lordships would do well to accept the Resolution of his noble Friend, and carry out those obligations which had been accepted by the English people, and which they were ready to maintain at any sacrifice.

VISCOUNT CARDWELL, having expressed his regret that his noble Friend (Earl Granville) should have been in the country, and therefore unable to represent his friends on this occasion, said, that for himself, he (Viscount Cardwell) deprecated debate on this question at the present time. The noble Earl the Foreign Secretary had said that at the present stage of the correspondence there were many points of the utmost importance with which he himself was unacquainted. How, then, could it be possible for the House to give an opinion which would carry the weight which their Lordships' opinion ought to have in such a state of affairs as at present existed? It was plainly the duty of their Lordships' House, while the Government was engaged, as the House was told the other night, in ardent and arduous endeavours to preserve the peace of Europe, to do nothing which could have the effect of frustrating or interfering with the success of those endeavours. A division on this Motion would not only have the effect of inducing the opinion that difference of opinion existed where, in fact, there was an united wish to promote the interests of the country and uphold the honour of the Crown, but, it would, in the present state of feelings in this country, and in what they believed to be the state of feeling among the people of Russia, be like carrying fire into a powder-magazine. To debate the question would be eminently unwise; to go to a division upon it would be to take an unnecessary and mischievous step; and, therefore, he hoped it would be withdrawn.

VISCOUNT BURY agreed with the noble Lord, that a division on the Motion would be a useless waste of time. In a time of general European conflagration and disturbance, the noble Lord opposite (Lord Campbell) discussed these Treaties as if they were still in existence; whereas everybody knew that the Treaties in question had been rent in shreds; and that, as was said the other day by the Czar—or, at all events, was attributed to him—his dearest object was to tear up the Treaties of 1856 and 1871, and strew them on his father's grave. At this moment a Power, for which so many wars had been waged, no longer existed. Turkey lay at the feet of Russia, and it now only remained to be decided by a European Congress or Conference what was to be the ultimate destiny of that country. Under those circumstances, it was a perfect mockery to discuss the details of the Treaty of 1856. It must be remembered that the Treaty was imposed upon Russia at the time of her direst despair, when she was on her knees with the bayonets of half Europe at her throat. When unable to resist, she was obliged to sign that Treaty, which took from her many of what she considered her rights, which she had fought for on many a bloody field, and which had been guaranteed to her by numerous Treaties — the Treaties of Kainardji, Jassy, Bucharest, and Adrianople. The Treaty of 1856 was looked upon by Russian statesmen as the disgrace of their manhood, and they wished now utterly to wipe out and destroy it. It could not be supposed that at this moment, when the Czar had made so many sacrifices, he would yield to this country merely because it sent its Diplomatists into a Conference. We might depend upon it that, whatever it was essential to the interests of this country to maintain of the shreds of the Treaty of 1856, we must be prepared to fight for. He (Viscount Bury) was not for war; he hated war as much as any man in that House; but he could not but conceive that the only way of preventing our drifting into a war, was to be prepared for it in a way which we were not at present. The Secretary of State for Foreign Affairs had said, with reference to the demand made for the Turkish ironclads by Russia, that he was inclined to believe that demand would not be persisted in—but the country would feel it as a painful circumstance that at this time, and under these circumstances, the Foreign Minister should have no more decided expression of opinion to give to the country upon a matter so vitally concerning its interests. In the forthcoming Conference were we prepared to back the opinions of our Diplomatists by energetic action if necessary? It was only by being prepared that we could obtain any single concession from Russia —because, looking at the sacrifices which that country had made, it could not be expected that she would yield anything otherwise. Had we mobilized any portion of our Army? Had we called out our Reserves? Had we taken any of those military precautions which, if our Diplomatists should find it necessary to resist any of the demands of Russia, would enable us to enforce that resistance? The public had a right to have their feelings upon such a subject truly represented, and that feeling was this—that we should go forward with full preparation. The noble Earl at the head of the Government might be satisfied that the country fully and entirely trusted in him, and that they looked to him that the strength of his personal character and influence should be so used in foreign affairs that they might regard the future without dismay.

LORD CAMPBELL, in reply, said, if no other noble Lord would now come forward, the House would easily perceive that he was bound, by the course of the debate, to offer a few words in answer before the question was disposed of. First of all, he must acknowledge in the strongest terms the valuable aid he had received from his noble Friend upon the right (Lord Houghton), his noble Friend upon the left (the Earl of Dunraven), and his noble Friend behind (Lord Dorchester). The noble Earl the Secretary of State had not on this occasion evinced to him remarkable civility, or anything, indeed, to which that term was usually applied. He (Lord Campbell) had no cause to be astonished. The noble Earl was so prodigal of urbanity, of courtesy, of deference, to those who came down to the House to weaken and to enervate his policy, that—every stock being limited—nothing of the sort was left for those who had habitually laboured to uphold and to invigorate it. At the same time, when anyone, however high his post or eminent his talents, so far forgot the usages of Parliament as to exalt himself into an arbiter of speaking, and to describe as "pompous platitude or confused rhetoric," the train of reasoning he was utterly unable to encounter, he (Lord Campbell) felt at liberty to view him as oppressed by care, upset by responsibility, or inflamed by the criticisms of which he knew himself to be the object. It was easy to re-state the grounds on which the Motion had been vindicated—as adapted to render war less probable, and to support the British Representative in any Conference which happened. Under neither of these heads had it been resisted as superfluous or mischievous. He (Lord Campbell) had defended it by arguments which, according to the noble Earl, were quite beyond his comprehension. He was bound to offer arguments, and he had done so. But he was not bound to furnish to the noble Earl the comprehension he disclaimed, and without which it usually occurred that arguments were useless. As a great part of his (Lord Campbell's) remarks had been directed against the Russian school, the bitter mode in which the noble Earl alluded to them could only lead to one impression—namely, that in that school he had now become a pupil. One object of the Motion was to encourage the Government to adopt various precautions they had not yet adopted, and which, in the opinion of the public, it was now essential to adopt. The noble Viscount (Viscount Bury) had objected that the Treaties of 1856 were now too obsolete to mention. Whenever the noble Viscount approached the Correspondence—he did not seem yet to have done so—he would find that a Conference was vindicated, urged on nothing but the basis of those Treaties. As to the appeal of another noble Viscount (Viscount Cardwell), against any division, he (Lord Campbell) regarded him as far too much identified with the late Prime Minister to guide him, or to direct the House, upon an Eastern subject. The Government had resolved—although the noble Earl the Secretary of State was wholly unsupported even by his Colleagues—in deference to him, to move the Previous Question. He (Lord Campbell), in concert with his noble Friends, should resolve how to act according to the temper of the House at the very moment when the question was submitted to it.

Then a Question being stated, the Previous Question was put, "Whether the said Question shall be now put?" *Resolved* in the *Negative.*

House adjourned at a quarter before
Eight o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 25th February 1878.

MINUTES.]—New Writ Issued—*For* Canterbury, *v.* Henry Alexander Munro Butler-Johnstone, esquire, Chiltern Hundreds.
Select Committee—Commons, *nominated;* Public Business, *nominated.*
Private Bill — *Select Committee*—Tramways (Use of Mechanical Power), *nominated.*
Public Bills — *Ordered* — Bankruptcy Law Amendment.
Committee—Factories and Workshops [3]—r.p.

PRIVATE BUSINESS.

TRAMWAYS (USE OF MECHANICAL POWER) BILLS.

Moved, "That Mr. Arthur Peel, Sir Graham Montgomery, Mr. Knight, Admiral Egerton, and Mr. Maurice Brooks be Members of the Select Committee on Tramways (Use of Mechanical Power) Bills."—(*The Chairman of Ways and Means.*)

Mr. J. W. BARCLAY said, he wished before the Committee was appointed, to call attention to its proposed composition. The question of tramways was a very important one; and, in investigating the subject, the Committee would be called upon to deal with matters that were of the very greatest interest to the burghs in Scotland. He, therefore, thought it would be desirable, before they appointed the Members of the Committee who were to be selected by the House, to ascertain who were the Members to be nominated by the Committee of Selection. This course would enable the

House to see how every interest was likely to be represented in the Committee.

MR. RAIKES said, it had been decided by the House that the Select Committee on Tramways should be a hybrid one, and that it should consist of nine Members, five of whom were to be chosen by the House, and four to be nominated by the Committee of Selection. The Scotch Members would be adequately represented upon the Committee; indeed, he did not know how they could have enjoyed a better representation. They had had the good fortune to secure, among the Members the House was about to nominate, the services of a most experienced Scotch Member (Sir Graham Montgomery). The course which had been taken in the nomination of this Committee was the same as that pursued in the nomination of Hybrid Committees for many years past—that was to say, it would be partly chosen by the House and partly nominated by the Committee of Selection. He was quite certain that the interests of the Scotch burghs would be fully considered by that Committee.

Motion *agreed to.*

Ordered, That Mr. ARTHUR PEEL, Sir GRAHAM MONTGOMERY, Mr. KNIGHT, Admiral EGERTON, and Mr. MAURICE BROOKS be Members of the Select Committee on Tramways (Use of Mechanical Power) Bills.—(*The Chairman of Ways and Means.*)

And, on Thursday, February 28, it was—

Ordered, That the Report and Minutes of Evidence of the Select Committee on Tramways (Use of Mechanical Power) 1877, be referred to the Select Committee on Tramways (Use of Mechanical Power) Bills.—(*Sir Charles Adderley.*)

QUESTIONS.

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MERCANTILE MARINE—THE EDDYSTONE LIGHTHOUSE.—QUESTION.

MR. BECKETT-DENISON asked the President of the Board of Trade for information regarding the present condition of Eddystone Lighthouse, Whether it is finally determined to encase the present fabric, or to build a new lighthouse; and, what is the estimated cost of the work; on what fund will the cost be charged, and what time is required for its completion?

SIR CHARLES ADDERLEY: Sir, the rock upon which the Eddystone Lighthouse has stood for nearly 120 years has become undermined by the sea, and the foundation of the lighthouse is very seriously weakened. Although there is not any immediate danger to be apprehended, the tower can no longer be considered safe. The Trinity House have, therefore, finally determined to build a new lighthouse on another rock about 40 yards from the present tower, the expense of which will, like other lighthouse works, be defrayed out of the Mercantile Marine Fund. Until the tenders, which have been, or are to be, invited, have been received, I am not in a position to state the estimated cost, or the time which will be required for completion.

THE METROPOLITAN FIRE BRIGADE.

QUESTION.

MR. RITCHIE asked the Secretary of State for the Home Department, Whether his attention has been directed to the Report of the Select Committee on the Metropolitan Fire Brigade; and, whether it is the intention of the Government to introduce a Bill dealing with the subject during the present Session?

MR. ASSHETON CROSS, in reply, said, his attention had been directed to the Report of the Select Committee, and a very valuable Report it was; but he was afraid he could not hold out any hopes of being able to introduce a measure based upon it this Session. All he could say was that the matter was under the consideration of Her Majesty's Government at the present moment.

LICENSING—THE DEVONPORT WATCH COMMITTEE.—QUESTION.

SIR WILFRID LAWSON asked the Secretary of State for the Home Department, Whether the Inspector of Constabulary has reported that the Devonport Watch Committee continues the system of "investigating the charges" made against licensed houses, "and deciding which shall be allowed to be taken before the magistrates;" and, if this be so, whether he sees his way towards procuring any change in this system of interference with the action of the police?

MR. ASSHETON CROSS: Sir, my attention has been directed to this Report. I may inform the hon. baronet that a Committee is sitting in the other House of Parliament on this subject, and I have called the attention of that Committee specially to this Report. I know they are making inquiries on the subject, not only in connection with the town to which he refers, but also with reference to other towns throughout the Kingdom. I hope before long to be able to afford more satisfactory information upon the matter than I am at present able to give.

SPAIN—THE INSURRECTION IN CUBA.

QUESTION.

SIR **CHARLES W. DILKE** asked the Under Secretary of State for Foreign Affairs, If Her Majesty's Government have received any information as to the alleged arrangement of terms of peace between the insurgents and the Captain General of Cuba?

MR. **BOURKE**: Sir, Her Majesty's Government have received information from Her Majesty's *Chargé d'Affaires* at Madrid that official news from Cuba has been received to the effect that bases of peace have been arranged between the Commander-in-Chief and the leader of the insurgents, and that there is every probability of the insurrection being brought to a conclusion before the end of the present month.

THE MUTINY ACT—MILITARY LAW—SELECT COMMITTEE.—QUESTION.

SIR **ALEXANDER GORDON** asked the Secretary of State for War, Whether he proposes to move for the appointment of the Select Committee to inquire into the Mutiny Act and the administration of Military Law, which last year, in reply to the late Sir Colman O'Loghlen, he held out hopes would be appointed this Session?

MR. **GATHORNE HARDY**, in reply, said, that he had not changed the intention which he held out last year, that there would be a Committee on this subject. The hon. and gallant Gentleman would remember that last year he (Mr. Gathorne Hardy) proposed to bring in the Mutiny Bill, and then to appoint a Committee, and that was his present intention.

INDIA—MILITARY SERVICE.

QUESTION.

SIR **GEORGE CAMPBELL** asked the Secretary of State for War, Whether any arrangement had been come to for providing a sufficiency of seasoned and experienced soldiers for India, and especially with reference to the statement of the Inspector General that he has ceased to recruit men for long service, whether Her Majesty's Government have been advised that they can rely on volunteering alone to supply such soldiers for Indian service?

MR. **GATHORNE HARDY**, in reply, said, that no actual agreement had been come to between the Indian Government and the War Office, but negotiations had been going on for some time. Proposals and counter-proposals had been made, and he had a Committee sitting at this moment to consider those proposals. The question of volunteering had not been raised; but he had no doubt that a conclusion would be arrived at which would enable them to supply India with a sufficient number of seasoned soldiers.

SIR **GEORGE CAMPBELL** gave Notice that, on going into Committee of Supply on the Army Estimates, he would call attention to the imprudence of ceasing to enlist for long service until the question was settled.

MR. **GATHORNE HARDY** said, that the hon. Member seemed to suppose that long service had been given up; but it was quite the reverse. Instead of taking them at the beginning as long-service recruits, the men would be enlisted for six years, and the best seasoned men would be taken on for long service. This arrangement, it was calculated, would secure for the Government 25 per cent more men best fitted for continued service.

THE EASTERN QUESTION—RUSSIA AND TURKEY—THE TERMS OF PEACE.

QUESTION.

MR. **W. E. FORSTER**: Sir, in regard to the terms of peace, which are stated in the newspapers to have been proposed by Russia to Turkey, I wish to ask the right hon. Gentleman the Chancellor of the Exchequer, Whether he can give the House any information as to the precise nature of those terms, and also whether he can give the House any information with regard to the proposed Conference?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the Government are very much in the position of the right hon. Gentleman. We have no official information on the subject of the terms of peace. We have a good deal of unofficial information from various quarters; but to some extent the information which we receive is not quite consistent with itself, and therefore I think it better not to state what really rests upon report. It seems to be certain that the Grand Duke Nicholas is now at San Stefano, which is about four miles from Constantinople, and that peace is likely to be concluded there. What the terms of peace are I am not yet officially informed. With regard to the Conference, I believe it has already been stated by my noble Friend (Lord Derby) that the Conference will take place at Baden-Baden. That is the place which has been selected for it, and I may mention that Lord Lyons has been chosen as the British Representative at the Conference. As to the time when it will take place, I am not able to give the House any information.

MR. W. E. FORSTER: Can the right hon. Gentleman tell us whether the time at which the signature of the terms of peace was to take place has been fixed? I ask the Question, because it is stated in this morning's papers that they were to be signed to-day.

THE CHANCELLOR OF THE EXCHEQUER: We have no official information upon that point.

INDIA — THE JOWAKIS.

QUESTION.

MR. ONSLOW asked the Under Secretary of State for India a Question, of which he had given him private Notice, Whether Her Majesty's Government had received information as to the accuracy of the statement which appeared in that morning's "Times," announcing the unconditional surrender of the Jowakis?

LORD GEORGE HAMILTON, in reply, said, a telegram had been received that day from the Viceroy confirming the statement alluded to. It was satisfactory, not only as establishing peace on our Indian Frontier, but also because it successfully inaugurated a new and more civilized policy in dealing with outrages committed by the Native tribes.

ORDERS OF THE DAY.

FACTORIES AND WORKSHOPS BILL.

(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.*)

[BILL 3.] COMMITTEE.

[*Progress* (*Clause* 17) 21*st February.*]

PART I.

(3.) *Employment and Meals.*

Clause 17 (Meal times to be simultaneous, and employment during meal times forbidden).

MR. FAWCETT, in moving, in page 9, line 39, after "factory" to leave out "and workshop," the effect being to provide that the regulations established by the clause should apply to factories only, and not to workshops, said, he was anxious to put a Question to the Home Secretary, in order to find out whether his (Mr. Fawcett's) interpretation of the Bill and its purpose was correct. He had no doubt that the Home Secretary had the Workshops Act before him, and would be able readily to answer the Question he wished to put. It had been again and again asserted that the object of the Bill was to assimilate the law in regard to factories and workshops, and to relax existing restrictions rather than to impose any fresh ones. If the Home Secretary would turn to the Workshops Bill of 1867, he would find that the restrictions imposed in the present Bill upon the time and manner in which children and young persons could take their meals in workshops were altogether different from the restrictions imposed by Clause 6 of the Workshops Act of 1867. The provision that—

> "All children, young persons, and women employed in workshops should have the times allowed for meals at the same hour of the day; and that during the times allowed for meals they should not be employed or be allowed to remain in a room in which a manufacturing process or handicraft was being carried on,"

was, as far as he could discover, entirely new. He wished to know whether his interpretation of the Bill was correct?

MR. ASSHETON CROSS said, there was no doubt that the intention of the Bill was to leave women as far as possible unrestricted, unless it was necessary, and it was further designed for the purpose of protecting children and young persons. The 59th clause excepted domestic factories and workshops, and other workshops from certain provisions of the Bill, and among the exceptions were the regulations as to hours of meals. They might take their own choice where no child or young person was employed, but where children and young persons were employed it would be necessary to adopt these regulations in accordance with the clauses already passed. The Committee having settled that there should be special hours, it would be impossible to carry on the work satisfactorily—especially where steam-power was used—unless they placed a restriction on the meal hours.

Mr. FAWCETT said, the clause had no reference to workshops in which steam-power was used, but applied strictly to places where the labour was entirely manual. So far as he read the clause, it would apply in this way. If, for instance, 50 persons were employed in a workshop—25 men and 25 women—say, in the manufacture of hats, and six of those women found they had a spare hour while they were waiting for materials—by this clause they would not be allowed to take their meals during that hour. The instant a piece of food was put into their mouths all the rest of the workpeople must stop work. He contended that a provision of that nature destroyed the Bill as a Consolidating Bill, because there was no such provision in the previous Workshops Act.

Mr. RITCHIE remarked, that one part of the Question put by the hon. Member for Hackney (Mr. Fawcett) had not been answered by the right hon. Gentleman. He understood the hon. Member for Hackney to object to people being unable to take their meals while work was going on in the same place. Now, it seemed to him (Mr. Ritchie), that if they were going to have any regulation whatever as to meals, they must have some such regulation as that proposed in the Bill. The Inspector would never be able to make any inspection that would be satisfactory, if the meals were to go on at all hours.

Mr FAWCETT said, he would not press the Amendment.

Amendment, by leave, *withdrawn.*

Mr. PARNELL hoped the Committee would recollect that this clause proposed to sanction the principle that there should be hours for meals set apart for young persons and women employed in factories and workshops. It specified the interval of time that was to elapse between those hours in regard to factories which were not textile and factories which were textile. In one case, the limit allowed was not to be greater than four and a-half hours, and in the other, it was not to be more than five hours. Now, it appeared to him that four and a-half or five hours were quite long enough for anybody to go without meals. Of course, there were instances in which it might be necessary to go for a longer period without food. He proposed to amend the clause by leaving out "children, young persons, and women," and inserting "persons" only. He thought it would be a proper act of legislation if, while taking guarantees that no trade should be interfered with where irregularity of meals existed, they enacted that in future the meals in factories should be at one regular hour. He observed that power was reserved in regard to this and other matters, so far as certain factories and workshops which were mentioned in the Schedules annexed to the Bill, were concerned. The regularity of meal-times was precisely one of those things which the workpeople in many instances were careless about. When they were occupied with work, if left to themselves, they would frequently run on and exhaust themselves, being actually in a state of hunger at the time. The Bill provided that there should be no greater interval between meals in the case of children and women than four and a-half hours, and in the case of other persons of five hours. The hon. Gentleman concluded by moving, in page 9, line 41, to leave out "children, young persons and women," and insert "persons."

Mr. ASSHETON CROSS said, his objection to the Amendment was this—that it was contrary to the whole principle of the Factory Acts as they existed at present. By adopting the Amendment, the Committee would really be reversing the whole spirit of our existing legislation, which did not apply to the labour of man at all.

Amendment *negatived.*

Mr. FAWCETT moved, in page 9, line 41, after "children" to insert "and;" in same line, after "persons," to leave out "and women." The object of the Amendment was to exempt women from the operation of the clause, and to give more liberty to workshops and manufactories where women only, and no young persons and children, were employed. In factories, where young persons and children were employed, the machinery would have to be stopped in order to allow those children and young persons to have their meals while no work was being carried on. The regulation would indirectly apply in the same way to women; and the clause distinctly raised an important question of principle, and imposed new and continued restrictions with regard to women, many of whom would be unable to use their leisure time in taking their meals. It was said that there were no complaints from the women themselves, and that therefore no injustice would be done. That argument was by no means conclusive, for many other acts of injustice had been done without any complaints being raised. He would mention a striking case in point. Nine years ago he had opposed an Inclosure Bill, and the Liberal Government and one Minister after another expressed astonishment at his doing so, and said that for 20 years or more Inclosure Bills had been passed without any opposition, and without any subsequent complaints; therefore, it was urged, no harm had been done; though it was proved that during all those years there had been much injustice. The long continuance of injustice was, therefore, no argument. Moreover, he had letters in his possession in which women spoke in grievous tones of the wrong done to them. He had that morning received one from a working woman, complaining of the restrictions placed in her way; but the total amount of injustice done was really not ascertainable from such evidence. Suppose a man contemplated the employment of so many women, and hesitated whether or not to introduce female labour—one of the considerations immediately suggesting themselves to him would be that, if he employed only adult male labour, he would be free from Government Inspection; but if he also employed a few women, he would be harassed and troubled with all kinds of restrictions, as no single person would be allowed a mouthful of food if there happened to be any industry going on at the time in the workshop. Such a man did not say that he would not employ any women, but he would silently resolve not to be bothered about them; so that all those restrictions on the labour of women artificially reduced their remuneration by reducing the demand and not the supply. He believed that the difference between the value of the labour of men and women respectively increased year by year, and was largely due to the fact that persons employing adult women were subject to restrictions such as those contained in the Bill. He urged the Amendment, therefore, both on practical grounds, and also on the ground of the general principle of right, and asked what right they had to make such restrictions in the matter of female labour? In particular, the regulation with respect to meals was of a very oppressive kind, for where could meals be obtained, if not at the factories?—unless, indeed, women were to be driven to the public-house. It was no justification to say that women suffered, and had to be protected; for every particle of disadvantage resulting from over-work, there was ten times as much more from imprudent marriages, and yet none wished to make regulations on that point. Nor was it sufficient to say that an evil existed, and had to be remedied by the House; any doctor could give most harrowing details about the harm done to women by the gaieties of the London season, but they would think him mad if he proposed that no woman should sit up till 2 o'clock in the morning more than two nights a-week. If legislation ran any risk of interfering with an attempt on the part of women to gain an honest livelihood, he would, as a matter of principle, ask the House to exempt women from the operation of the clause.

Amendment proposed,

In page 9, line 41, after the word "children" to insert the word "and;" and, in same line, after the word "persons" to leave out "and women."—(*Mr. Fawcett.*)

Question proposed, "That the word 'and' be there inserted."

MR. ASSHETON CROSS said, that the hon. Member had not argued the clause on its merits. He had forgotten to mention the clause at the end of the Bill, which provided that in all workshops where women only were employed they might take their meals when they pleased, so that they were not interfered with except when they were employed together with children and young persons. The Committee had decided on a previous Amendment, that in those cases an indefinite meal-hour could not be permitted. A woman came to work, free to take her meals when she liked, as long as she laboured like a man; but the Committee had decided in favour of a special hour for meals where young persons and children were also employed.

Mr. BIGGAR said, that the hon. Member's argument came to this—that all persons would have to take their meals at one time, with the children and young persons. As far as he remembered the discussion on a previous occasion, the argument had been that children, young persons, and unmarried women were supposed not to be free agents, but that married women were so. He would suggest that the words "if married" should be added to the Amendment.

Mr. W. HOLMS considered that the Amendment did not go far enough.

Mr. RITCHIE remarked, that Clause 59 excluded women when employed alone from regulations as regarded meals, so that the Amendment was unnecessary.

Mr. HOPWOOD contended that the restrictions placed on women were vexatious, and he did not see how the Inspectors would be embarrassed in the discharge of their duty if those restrictions were not imposed. He assumed that whatever the dinner-hour, there would be some little confusion to this extent—the Inspector would have to say who was a woman, who a young person, and who a child; but the difficulty in the first case would be but slight, and in the case of children none could exist at all. He would support his hon. Friend the Member for Hackney.

Mr. GRAY thought that the argument of the right hon. Gentleman cut both ways. If, to prevent confusion, it was necessary to regulate the meal-time where women were employed, the argument held good in the case of men, who were placed under no such restrictions.

Mr. ANDERSON said, that as the Amendment originally stood, a good deal might be said in its favour, but the change had made it utterly unworkable; and if the hon. Member for Hackney knew anything about a factory, he would know that during meal-hours it was absolutely necessary frequently for men to be employed in making small repairs that could not be made when the machinery was in motion, and to save delays and stoppages. The Amendment, therefore, as it now stood, was absurd.

Mr. PARNELL did not think restrictions unnecessary, for labour was not able to take care of itself, and anything that tended to mitigate hardship would produce good relations between capital and labour. For that reason he had moved his last Amendment, thinking that the House, if it legislated for women, might as well legislate for men also. Some of the provisions of the Factory Acts for the last 30 years were, no doubt, very beneficial; but so many restrictions would place women in an unfair position. The general effect of the Amendment was to do away with regular hours for women, though they were not to be placed at a disadvantage; yet custom and habit already put their labour below that of men, and were unfair if not unbeneficial. He should support the Amendment, because it would remove an unfair restriction; and he only wished that exceptional legislation, if any were permitted, could lose some of its unfairness by being extended to men also.

Mr. M'LAREN protested against women being singled out, and told that they must not do this, that, and the other thing, which men were at liberty to do. If there were any force in the argument in favour of this restriction being placed upon women during meal-time, it applied equally to men.

Mr. FAWCETT asked the attention of the Committee to the contention of the Home Secretary. The right hon. Gentleman had said that, by a subsequent clause, this regulation respecting meal-time was made not to apply to factories and workshops in which only men and women were employed, and that he had put women into this clause for the sake of the children and young persons. If that were the real reason why women had been put in, then it became absolutely necessary that the Home Secretary should insert "men." Suppose there were factories—and there were such factories—where children, and young persons, and no women, but men, were employed, what became of the argument of the Home Secretary? If, for the sake of the children and young persons in a factory where women were employed, it was necessary to insert "women" in the Bill, *à fortiori*, it was equally necessary and equally obligatory on the right hon. Gentleman to insert "men," in order to meet the cases in which young persons and men were employed. With respect to what had been stated by the hon. Member for Glasgow (Mr. Anderson), who had described the Amendment as absurd, he wished to say that that description would be more properly applied to the legislation which enforced regularity upon factories when it was already secured by the nature of the work carried on in them. But the mistake which the hon. Member had made was in supposing that this legislation solely applied to those huge factories in Glasgow with which he was familiar, whereas some of the smallest industrial workshops in England would become factories under the definition given in the Bill. He felt that he must ask the Committee to give its decision upon this point.

Question put.

The Committee *divided:*—Ayes 65; Noes 198: Majority 133.—(Div. List, No. 29.)

MR. LEWIS STARKEY, in moving, in page 10, line 3, to leave out from "or be allowed" to "carried on" in line 5, inclusive, said, he did so in consequence of representations which had been made to him by manufacturers that they could not work the clause satisfactorily; and the object he had in view was to prevent manufacturers from being liable to fine in cases in which women, children, and young persons remained in a room to take their meals while a continuous process—although not one in which they were engaged—was going on. Nothing was more common in small factories in Lancashire and Yorkshire, where three or four processes were carried on in one room, than to find one or more of these processes being carried on during the meal-hour, on account of what was called the continuous process, the young persons and children being allowed meanwhile to take their meals in the same room which they usually brought with them, owing to the distance at which they resided from the mill. It was thought a hardship that a manufacturer should be liable to a fine under such circumstances; and he hoped, therefore, that the right hon. Gentleman would agree to the omission of these words, or else introduce some modification or exemption into the Schedule of the Bill in reference to these cases.

MR. RITCHIE said, it appeared to him that this Amendment was open to the same objection as that which had been urged against the Amendment of the hon. Member for Hackney (Mr. Fawcett). The objection to it was obvious. If young persons and children were allowed to remain in a factory where a manufacturing process was going on during meal-times, how would it be possible to tell whether they were being employed or not if an Inspector should go round to see whether the Act was being complied with?

MR. KNOWLES remarked, that if the law were to be carried out at all, the words proposed to be omitted must be retained in the clause.

MR. ASSHETON CROSS said, that was exactly the case. If the Act were to be operative, these words were necessary; if the Act were to be a sham, let them be struck out.

MR. HOPWOOD would put this case—there was a man who employed a number of young women at sewing-machines, and these persons wanted to get their dinner in the middle of the day. This clause would compel all these women to turn out, it might be into the wet, because they could not stop where these sewing-machines were, which would, he apprehended, come within the definition of a "manufacturing process or handicraft." He really thought that Parliament ought to go further, and insist that they should be sent to bed at a certain time. It was going an extreme length to insist that in many cases on a wet day people should turn out of the only dry and warm place they could find in which to take their meals, simply because it was feared that in some way or other the Act might be evaded.

MR. GORST did not think that the clause was open to the construction which the hon. and learned Gentleman opposite (Mr. Hopwood) had placed upon it. To speak of people being turned into the wet was a result that existed only in the imagination of the hon. and learned Gentleman. All that the clause said was that during the meal-hour the manufacturing process was to be stopped.

Mr. HOPWOOD maintained that his construction was that which a magistrate, before whom the question was raised, would be likely to place upon the words of the clause. "Is carried on," were words which merely described a workshop or factory, and could not be limited to mean only "during the hour for meals." He thought that when the hon. and learned Gentleman (Mr. Gorst) rose in his place and told them that they did not understand the English language, it was a trifle presumptuous; but he ventured to say that they could reason the matter out for themselves. He had instanced the familiar case of sewing-machines in order to show how vexatiously this legislation would work.

Mr. RITCHIE said, that the hon. and learned Member for Stockport (Mr. Hopwood) was evidently not aware that this restriction was already to be found in the existing Factory Acts; and it was perfectly well understood that work being carried on meant at the time during which these machines were in operation. There was nothing whatever, so far as he was aware, to prevent people having their meals in a workshop so long as the manufacturing process was not going on.

Mr. FAWCETT said, that their contention was that this restriction had never before been imposed in workshops. No doubt the Home Secretary had a majority at his back; but he (Mr. Fawcett) thought that the right hon. Gentleman was bound to tell the Committee why an entirely new restriction was to be placed upon the labour of people employed in workshops. According to the Bill as it stood, its provisions would apply to a draper's shop, if it should happen that in the rear of the shop a woman was engaged, either with or without a sewing-machine, in making a lady's mantle. He thought it would be unjust to apply to a place of the kind the same restrictions which might be necessary or proper in the case of a factory or workshop in the strictly accurate sense of the words.

Mr. ASSHETON CROSS said, the Bill was framed in order to prevent any attempt to escape from proper restrictions. If a factory or a workshop were worked by means of steam or water-power, it was only necessary to shut off the steam or the water, and everything came to a standstill. But in a workshop where power was not used, there would be nothing to show the Inspector that work was not going forward, unless some restrictions such as those proposed were in existence. The object was to secure to the workpeople the carrying out of the Committee's recommendation—that workshops should only go forward during certain hours in the day, and that a sufficient time should be set apart for meals. He could not conceive it to be a restriction that there should be a certain time granted for the taking of meals, any more than to say that there should be fixed hours for work.

Mr. LEWIS STARKEY said, that after what had been said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. PARNELL said, he did not think it necessary to move the next Amendment which stood in his name; but he wished it to be distinctly understood that the sub-section (two) was only to apply at times when work was actually going on—that was to say, when the machinery was in motion. If this proposal were adopted, the sub-section would read as follows:—

> "A child, young person, or woman, shall not during any part of the time allowed for meals in the factory or workshop, be employed in the factory or workshop, or be allowed to remain in a room in which a manufacturing process or handicraft is being carried on 'actually at the time.'"

Mr. GORST and Lord FREDERICK CAVENDISH opposed the Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 18 (Regulations as to period of employment on Saturday of women employed only eight hours a day) *agreed to.*

Clause 19 (Notice fixing period of employment, hours of meals, and mode of employment of children) *agreed to.*

Clause 20 (Prohibition of employment of children under ten).

Mr. ANDERSON moved, in page 10, line 32, after "workshop," to insert "nor in any casual employment."

The CHAIRMAN ruled that the Amendment did not come within the scope of the Bill.

MR. ANDERSON thought the objection would be cured by the adoption of a subsequent Motion which he had upon the Paper to amend the title of the Bill, so as to provide that it should apply to the regulation not only of factories and workshops, but to the "casual employment of children." He would remind the House, also, that the Bill as drawn contained provisions with reference to the "incidental" employment of children, and he could not see in what such employment greatly differed from their "casual" employment.

THE CHAIRMAN ruled that the proposal to alter the title of the Bill would be as wide a departure from the objects of the Bill as the first proposal of the hon. Member. If it had been intended to alter the title as proposed, an Instruction to the Committee should have been moved at an earlier stage. He would also remind the hon. Member that "casual" employment was very different from employment "incidental" to the ordinary avocations carried on in a factory.

MR. M'LAREN said, he had on the Paper a somewhat similar Amendment, which he should be glad if the Home Secretary would consider and deal with if practicable on the Report. The Edinburgh School Board had found that needy or greedy parents frequently compelled their children to sell newspapers in the streets during hours when they ought to be at school; and they had passed a Resolution asking Parliament to forbid children under 10 years of age from engaging in this traffic during the school hours fixed by the Board.

THE CHAIRMAN pointed out that the proposal of the hon. Gentleman was beyond the purview of the Bill. At the same time, there might be Amendments which could be moved on the Report, though not in Committee.

Clause *agreed to.*

Clause 21 (Prohibition of employment of children, young persons, and women on Sunday) *agreed to.*

(4). *Holidays.*

Clause 22 (Days to be observed as holidays and half-holidays to be allowed in factories and workshops).

MR. PARNELL moved, in page 10, line 38, to leave out "child, young person, and women," and insert "person," with the object of extending the operations of the clause to all the *employés* in factories and workshops. In many branches of industry it was found convenient to give half-holidays on Saturdays, and he was sure that if it only applied to the young women they would feel very lonely unless they had the young men to accompany them. There were, of course, certain trades to which this could not apply, and the Home Secretary could, without difficulty, provide for these in the Schedule of exceptions which would follow the clauses of the Bill. In the printing trade, for instance, it would be impossible to give whole-holidays to all the hands; and in many cases it would be very inconvenient to grant even half-holidays, for it would be out of the question to do without a newspaper on the day following Christmas Day. There were only eight half-holidays in the year, and the granting of them could not do much harm to the employers, while to the Legislature, which looked after the interest and pleasure of the workpeople, its result must be very beneficial.

MR. TENNANT opposed the Amendment. It was, he said, on these very holidays that in most factories necessary repairs to the machinery had to be effected—repairs which would not be possible when the factories were in full work.

MR. HIBBERT also opposed the Amendment, but on broader grounds. If Parliament was to commence by stating as to the holidays of adult males employed in factories, it would soon commence to state what their hours of work should be; and he thought few branches of the subject could involve greater danger than an attempt to interfere with the hours of adult male labour.

MR. ASSHETON CROSS agreed entirely with the hon. Member's (Mr. Hibbert's) remarks, and could not, therefore, accept the Amendment.

Amendment *negatived.*

MR. LEWIS STARKEY said, the clause as it stood gave employers power to grant as a holiday "either" Good Friday or the next public holiday under the Holidays Extension Act 1875. He did not wish the discretionary power to be left in the hands of the employers, and, therefore, moved, in page 10, line 40, the omission of the word "either."

Mr. ASSHETON CROSS said, the clause had been based upon the recommendation of the Select Committee which sat to inquire into the subject. The Committee said there were certain circumstances which rendered Friday an inconvenient day to be absolutely fixed by law as a holiday. At Easter, for instance, it would often result in no work being done before Tuesday or Wednesday in the following week, notwithstanding the fact that there might be a press of orders on hand. It was also mentioned that Good Friday was not a holiday of obligation with Roman Catholics, and, under all the circumstances, the Select Committee saw no reason for fixing it absolutely by law as a holiday.

Amendment *negatived.*

Mr. PARNELL moved that the notice by the employer of his intention to grant an holiday should be given six days before the date intended instead of "on the last previous work day," as proposed by the Bill. His reason was that a day's notice would be too short for the people to arrange for the most pleasant way of enjoying their holiday.

Mr. GORST supported the Amendment.

Mr. ASSHETON CROSS thought a week's notice was more than employers could be expected to give; but expressed his willingness to accept the words "last work day but one" instead of "last work day."

Mr. PARNELL accepted the proposal.

Amendment, by leave, *withdrawn.*

Words suggested by Mr. Assheton Cross *inserted.*

Mr. TENNANT moved, in page 11, sub-section 5, line 16, after "Saturday," to insert "and the half-holiday must be in the afternoon, except on a Saturday."

Lord FREDERICK CAVENDISH thought the proposal unnecessary. In order to give the half-holiday in the early part of the day, it would be necessary in the great majority of cases to completely alter the regular and accustomed hours of labour; while, in some few cases, it would conduce to the convenience of all concerned to take the earlier part of the day for the half-holiday.

Mr. FIELDEN pointed out, as a practical difficulty, that in many cases if a half-holiday was given in the morning, it would not be easy to get the hands to work in the afternoon.

Mr. C. S. PARKER saw no reason why, in exceptional circumstances, the half-holiday should not be given early in the day, and objected to the Amendment, as tending too far in the direction of restriction.

Mr. MELLOR did not see how it was possible, except in very unfrequent cases, to give holidays to workpeople in the morning half of the day.

Amendment, by leave, *withdrawn.*

Mr. PARNELL moved, in page 11, line 30, to leave out "five" and insert "twenty" as the penalty for not posting up in the factories or workshops notice of the holidays to be granted. The clause would then run—

> "If in a factory or workship such whole holidays or half-holidays as required by this section are not fixed in conformity therewith, the occupier of the factory or workshop shall be liable to a fine not exceeding twenty pounds."

In the case of owners of large factories, a fine of £5 would be a matter of so small amount that it would pay them remarkably well to forfeit the sum, and deprive their *employés* of the holidays which were guaranteed them by the Act, in order to secure a profit far beyond the amount of the fine paid.

Amendment proposed, in page 11, line 30, to leave out the word "five," in order to insert the word "twenty."—(*Mr. Parnell.*)

Question proposed, "That the word 'five' stand part of the Clause."

Mr. ASSHETON CROSS pointed out that the sub-section it was proposed to amend had nothing to do with the actual holidays; it only referred to the notice which employers should be bound to give of them. There was another distinct and much heavier set of penalties provided for employers who should deprive their workpeople of the holidays to be fixed by the Bill when it had become an Act of Parliament.

Mr. ORR EWING thought the penalty was quite heavy enough, inasmuch as there were very many more small factories and workshops owned or occupied by comparatively poor men than there were large establishments tenanted by men to whom a £5 fine would be a mere flea-bite.

MR. O'CONNOR POWER suggested that the maximum penalty for a first offence should remain at £5; but that it should be raised for each subsequent infraction of the law.

MR. BIGGAR pointed out that the fine was not to exceed £5, and that the magistrates could apportion the amount in accordance with the size and value of the premises occupied by the person offending.

Question put.

The Committee *divided*:—Ayes 208; Noes 7: Majority 201. — (Div. List, No. 30.)

Clause, as amended, *agreed to*.

(5.) *Education of Children.*

Clause 23 (Attendance at school of children employed in a factory or workshop) *agreed to*.

Clause 24 (Obtaining of school attendance certificate by occupier of factory or workshop) *agreed to*.

Clause 25 (Payment by occupier on application of sums for schooling of child, and deduction of it from wages).

MR. WHITBREAD suggested an Amendment relating to the stoppage of wages for school payments, but on consideration it was deferred until the Report.

Clause *agreed to*.

Clause 26 (Employment as young person of child of 13 obtaining educational certificate).

MR. PARNELL pointed out, that the provision allowing children who had attained proficiency in reading, writing, and arithmetic, to leave school before 13 years of age, would have the effect of removing from school the most intelligent and the brightest children, and would leave the dull ones to reap further advantages. He moved the omission of the clause, in order to give opportunity for explanation.

MR. MUNDELLA maintained that this provision, so far from depriving a quick child of education, would have the reverse effect.

Amendment, by leave, *withdrawn*.

Clause *agreed to*.

(9.) *Certificates of Fitness for Employment.*

Clause 27 (Certificate for fitness of employment of children and young persons under 16 in workshops).

MR. W. HOLMS said, that by the clause as it stood, it was imperative on every factory employer to have a certificate of efficiency with every child or young person entering his employment. The line of demarcation between workshops and factories was a very delicate one, and it seemed an invidious thing that, as regarded workpeople employed in producing the same article, we should have two entirely different laws. He suggested that the clause should render it imperative for employers, whether owners of factories or workshops, to have certificates with those they employed. He moved to insert the words "or workshop."

Amendment proposed, in page 13, line 37, after the word "factory," to insert the words "or workshop."—(*Mr. William Holms.*)

Question proposed, "That those words be there inserted."

MR. ASSHETON CROSS did not agree with all that had fallen from the hon. Member. On the question of certificates of fitness, he believed they were a great safeguard. The Royal Commission stated that there was a monopoly in factories, but not in workshops; and there was now such distinction between the two, that he did not wish to mix them up.

LORD FREDERICK CAVENDISH was not able to support the Amendment, because he believed the system of surgical certificates, however good it might have been in the beginning, was now very nearly worked out. The school board regulations seemed to him to give a guarantee of the age of a child.

MR. WHITWELL expressed his surprise and regret that while the Bill professed to make the old system of factory and the new system of workshop regulation alike, it established an immense difference. The exemption under the new system for the workshops, as compared with the textile factories, would be a great relief to the workshops. [Mr. ASSHETON CROSS: Not relief.] It was understood all were to be under one law. This was not the case. Exemptions more numerous than any Act of Parliament had ever before established were introduced in favour, and as he contended in relief, of the labour conducted in workshops. Of this course he could not approve, for it established permanently different legislation for the same class of workers.

MR. FIELDEN held it to be a most important thing that children should not only be of a certain age, but that the certifying surgeon should certify that each child had the appearance of a child of that age, and was not unequal to the work that he was called upon to perform.

MR. TENNANT said, that for the reasons given by the noble Lord opposite (Lord Frederick Cavendish), he hoped the Amendment would not be pressed.

MR. MUNDELLA found some difficulty in refusing to support the Amendment. In cases where children were rejected at a factory by reason of incapacity or disease, they might go straight over to a shop and be employed. Such cases had happened, and the right hon. Gentleman would do well to see whether such cases could not be met.

MR. GORST also found it difficult not to support the Amendment of the hon. Member for Paisley (Mr. W. Holms), because he did not see why the same principle should not be applied to factories as to workshops. It seemed to him that they should provide as far as they could that children should not be sent by their parents to places for which they were unfit.

MR. BRIGGS hoped the Home Secretary would give way on this question. There seemed to be no occasion to draw any distinction between children employed in factories and those employed in workshops. The conditions under which children worked in large factories were decidedly better than those they worked under in small workshops. Ventilation was better, space was larger; and if medical examination was necessary, it was more necessary in the case of children in small workshops than in those employed in large factories.

Question put.

The Committee *divided:* — Ayes 63; Noes 95: Majority 32. — (Div. List, No. 31.)

MR. GORST said, that under the present Bill, medical officers had duties to discharge which were much more properly those of a physician, and he hoped there would be no objection to describe them in the Bill as "factory medical officer," instead of "certified surgeon." He believed the change was one that was much desired by the Profession. The hon. and learned Gentleman concluded by moving the Amendment.

MR. ASSHETON CROSS said, he had never had the question brought under his notice, and was not prepared to accept the Amendment without consideration.

MR. GORST said, he would withdraw his Amendment, in the hope that the matter would be brought before the House on a future occasion.

Amendment, by leave, *withdrawn.*

MR. MUNDELLA intimated that the hon. Member for Roscommon (the O'Conor Don) had an Amendment to the effect that a child should not require a certificate every time it changed its employer.

LORD FREDERICK CAVENDISH begged to move the Amendment, of which Notice had been given by the hon. Member for Roscommon—namely, in page 14, line 1, after "that" insert "or any similar." This question of medical certificates and papers gave more trouble to the Commissioners than any other. He wished to explain why it was that it seemed to him impossible to maintain the law in its present position. The Report of the Commissioners said that the requiring of a certificate with every child and young person was the subject of very great complaint both by employers and employed. At the present time the burden fell chiefly on the employer, and if that burden had been felt in the past, how much more likely was it to be felt in future? Perhaps it might be said that 3*s.* or 4*s.* was not a great deal for a parent to pay. But changes might occur, and did occur, especially in the brick-fields, where they changed once a-year; and if every child so employed had to have a certificate once every year, a family of four or five children would amount to a heavy tax on the parent. Had the existing system been so satisfactory in the past that we should wish to enforce it in the future? One thing struck the Commissioners, and that was the large number of half-time children found in the shops. A large number of children were passed by the surgeons as being 13, when they were very little over 10. The Commissioners reported that sometimes 15 to 20 certificates were cancelled for children who had been passed as of full-time. Was a system which depended entirely on the strictness, or otherwise, of the certifying surgeon, one which they should adopt in this new Act? He felt himself so doubtful that he would wish to abolish all distinction between workshops and factories. What were the dangers to be apprehended from the single certificate? First, there was the danger of personation. After the certificate was once given the surgeon did not interfere; and he did not see why change of employment rendered it more necessary for the surgeon to interfere than in the case of the child remaining in the same employment. He wished to minimize the hardship as much as possible, and therefore he begged to move the Amendment of the hon. Member for Roscommon which would allow any child who had obtained a certificate to be employed in any factory where the work was of a similar nature.

Amendment proposed, in page 14, line 1, after the word "that," to insert the words "or any similar."—(*Lord Frederick Cavendish.*)

Question proposed, "That those words be there inserted."

MR. ASSHETON CROSS was bound to say that great credit was due to the certifying surgeons for the large share they had taken in the working of the Factory Acts; in fact, the Factory Acts never would have accomplished what they had accomplished but for them. The Commissioners said they could not pass on without testifying to the interest many of the certifying surgeons took in their work. Therefore, he would be very unwilling to pass any law to take away the certifying surgeons. What they would do in the future would be what they had done in the past, and they had afforded the greatest aid in carrying out these Acts of Parliament. That being so, he could not agree with the noble Lord opposite (Lord Frederick Cavendish), that he should like these certifying surgeons to be done away with. Then came the question as to how this matter could be simplified to make it less oppressive than it was. In the first place, these certificates were obtained by the masters by contract. Of course, he did not say that for a person in health it was necessary that there should be a new certificate in going from one employment to another; but it was certainly a great safeguard, and he believed that in the absence of the existing practice there would be great danger of personation. As the elder child grew up the certificate would be handed over to the younger children, the brother, or some one else, and a great deal of personation would go on. Therefore, he should be sorry to do away with the present system, unless some more efficacious scheme could be put in its place. The Education Department had now issued to many children a small book, which would contain on the first page the date of his birth, and would thus become a sort of record. This plan had only been in force about a month; and at the present moment it had not had time to prove of much use. He did not object to the law as it stood, nor should he object to insert a clause in the Bill to carry out any plan for increasing the use of the certificate; but he certainly should not adopt that course unless he saw that it could be practically carried out.

DR. LUSH said, he must say one word, which he was afraid would be in opposition to the noble Lord the Member for the West Riding (Lord Frederick Cavendish). The difficulty a surgeon had to deal with was in seeing that these children were not injured by illness or bodily disease. The noble Lord said that one inspection should be sufficient until they passed out of the category of young persons. He (Dr. Lush) felt there ought to be some sort of supervision, to see that those persons did not return to their employment too soon after illness. Under existing Acts, if a girl of 16 was in a state of pregnancy, or had gone home and been delivered of a child, and went back the next day to work, there was nothing that gave the power of overlooking such persons in factories. Instead of diminishing the powers of the surgeon, he should like to see them much extended.

Mr. KNOWLES maintained that if one certificate was to be held permanently, it might go through the hands of 20 people before the fraud was detected. He was quite sure, therefore, that the noble Lord would not press an Amendment which he had only moved for the hon. Member for Roscommon (the O'Conor Don).

Mr. LYON PLAYFAIR opposed the Amendment as being contrary to the principle on which legislation had proceeded in analogous cases. If, he contended, a certificate of bodily health were to be of any use at all, it was desirable that the security which it afforded as to fitness for employment should not be any further relaxed.

Mr. MUNDELLA, while admitting that much good service had been done by means of factory inspection, pointed out that the clause, as it stood, would operate very prejudicially in the case of the smaller class of employers who would be brought under the provisions of the Factory Acts for the first time. He held in his hand a letter from one of his own constituents, who, after stating that he kept only one or two apprentices, complained that the clause would affect him very injuriously, inasmuch as he would have to pay 2*s.* or 2*s.* 6*d.* for a certificate each time a young person entered his employment; while employers on a large scale were able to contract with surgeons for certificates by paying a trifling sum for inspecting a considerable number together. He concurred in the opinion that a child should be obliged to obtain a certificate of bodily fitness when first entering a factory; but he could not see that it was necessary there should be a fresh certificate on every change of employment. It was argued that the clause was required in order to prevent personation; but if a fine were attached to any attempt of that kind, and the employer was allowed to keep the certificate in his own hands during the whole time a young person remained in his factory, delivering it up only when he or she was about to leave for some other employment, the difficulty as to personation would, he thought, be entirely removed. He hoped, at all events, that the Secretary of State for the Home Department by adopting the Amendment — or some modification of it—would prevent thousands of small employers from being saddled with an expense which they could ill afford to bear.

Mr. LYON PLAYFAIR said, his hon. Friend would find that in Clause 68 the objection which he had raised as to employers who had only one or two apprentices having to pay the expenses of certificates was met by a proviso, limiting the operation of the Bill in that respect to workshops in which at least 10 children were engaged.

Mr. ANDERSON maintained that the result of the adoption of the Amendment would be to give increased facilities for personation, especially in large towns like Glasgow, where numbers of young persons who came over from Ireland were constantly seeking employment. Indeed, he did not think it would be possible to identify children, if they were allowed to take away their certificate from place to place as was proposed, and the door would thus be opened to a great amount of fraud.

Mr. WHITBREAD was of opinion that there was by no means so much danger of personation now as formerly, as children were much better known to the authorities than was the case previous to the passing of the Act of 1874. If a certificate were wanted at all, it was, it seemed to him, as necessary that it should be renewed periodically in the case of children who continued in the same employment as of those who went from one employment to another. He wished, also, to point out that, to insist that a child should obtain a fresh certificate every time it changed its employment, would be to impose a penalty on that change, and in that way to restrict that freedom of choice which it was desirable should be maintained. Entertaining those views, he should vote for the Amendment.

Dr. KENEALY would also feel it to be his duty to support the Amendment, if the noble Lord (Lord Frederick Cavendish) pressed it to a division. He could fully corroborate what had fallen from the hon. Member for Sheffield (Mr. Mundella) as to the dissatisfaction which was felt by a large number of small employers at the clause as it stood. Its effect would be to levy upon them an almost perpetual tax, inasmuch as not being in the habit, like employers on a great scale, of contracting with surgeons for those inspections, they were obliged to pay separately for each child. He objected, he might add, to the check which the clause would impose on children in preventing them from leaving a particular workshop, which might suit neither their health nor their circumstances in a variety of ways. As to the alarm about personation, he, for one, did not share in it. The evil might, he thought, be altogether obviated by the imposition of a small penalty for personation on the parents of a child. It was an error, he believed, to suppose that a child was not compelled to pay for a certificate, for he found that by Clause 69 a small sum—3*d.*—might be deducted from its wages for the purpose.

MR. ORR EWING thought there was great force in the argument that the Amendment would operate injuriously—at all events in large towns—where there were such vast numbers of children seeking for employment that it would be impossible to identify them. Much, therefore, as he should like to see the object of the Amendment carried out, he considered it was a dangerous experiment to justify its acceptance by the Committee.

MR. ANDERSON pointed out, in reply to the hon. Member for Bedford, that children might be known to the authorities in small places, but they could not be in large ones, especially where there was a constant Irish immigration, and he was wrong in speaking of the penalty inflicted; for although the employer was empowered to deduct 3*d.* from a child's wages to pay for a certificate, such deduction was practically never made, nor did he think it at all likely it would be under the present Bill.

SIR ANDREW LUSK, as representing a borough in which great numbers of children were employed, should feel it his duty to support the Amendment. There was, in his opinion, considerable weight in the argument that the clause in its present shape would throw obstacles in the way of freedom of trade, while the hundreds of employers who only engaged one or two hands ought, he thought, to be considered as well as those who employed thousands.

SIR HENRY JACKSON said, there was on the Notice Paper another Amendment standing in the name of the hon. Member for Roscommon (the O'Conor Don), empowering an employer to retain in his own hands the certificate of a child while it remained in his employment; and that, if that proposal, in addition to the Amendment under discussion, were adopted, he did not see how there could be much danger of personation. The only danger would be on the occasion of the first engagement. He did not mean to contend, after what hon. Members, and especially hon. Gentlemen representing Scotch constituencies, had said, that the fears of those who took a contrary view were altogether unfounded; but he could not help thinking that the chances of a fraud being successfully attempted were so small as by no means to outweigh the admitted inconvenience which it was intended by the Amendment to remove. Many of his constituents complained very strongly of the heavy tax which was imposed upon them by the present system of perpetually renewing these certificates, and urged that they should be granted by a public officer who should be paid for out of the rates instead of being allowed to fall upon employers and their workmen—a proposition which he thought reasonable—but which he did not think it right at present to submit to the House.

MR. MUNDELLA, while observing that he did not at all wish to relax the stringency of the Factory Acts again, spoke strongly in favour of the adoption of the Amendment as being intended to do away with a burden which was found to be very oppressive by the small employers.

SIR JOSEPH M'KENNA was also of opinion that some relaxation on the stringency of the clause ought to be made in the interest of those employers, who were now in the habit of making the payment for the children, as well as in support of perfect freedom of trade for the children themselves, who ought to have right to seek fresh employment without having a difficulty thrown in their way.

MR. RITCHIE could state from his own personal knowledge, that the sums paid for certificates, neither directly or indirectly, came out of the wages of the children, in 99 cases out of 100. The identification of the children was, he contended, just as difficult now as at any former period, and the result of the adoption of the Amendment would, he feared, be to open wide the door to personation.

Question put.

The Committee *divided:*—Ayes 64; Noes 72; Majority 8.—(Div. List, No. 32.)

Clause *agreed to.*

Clause 28 (Certificate of fitness for employment of children and young persons under 16 in workshops) *agreed to.*

Clause 29 (Power of Inspectors to require surgical certificate of capacity of child or young person under 16 for work).

Mr. GRAY moved the omission, in page 14, line 26, of all the words after the word "continue," with the view of substituting for them words providing that the occupier might have notice served upon him to discontinue the working of a child or young person, within any number of days, not less than one or more than seven, named by the Inspector; the object of the Amendment being, that the discontinuance of work in the cases in question might take effect almost immediately after the notice was given, if deemed necessary, instead of waiting seven days.

Mr. ASSHETON CROSS said, he could not assent to the Amendment, and pointed out that the clause merely re-enacted the provisions of previous Acts, with respect to requiring the seven days' notice.

Mr. PARNELL suggested that there might be good reasons why a child should not be asked to work for even a single day after the Inspector had given notice of its unfitness for work on account of bodily infirmity. The Inspector ought to be the best judge in such cases.

Amendment *negatived.*

Clause *agreed to.*

Clause 30 (Supplemental provisions as to certificates of fitness for employment).

Mr. MUNDELLA moved the omission of the words "when a child becomes a young person a fresh certificate of fitness must be obtained." The clause as it stood would, he contended, cause unnecessary expense and trouble.

Mr. RITCHIE, seeing no reason why a second certificate was necessary, hoped the Home Secretary would accept the Amendment.

Mr. LEWIS STARKEY also hoped the Home Secretary would give way, so that unnecessary multiplication of certificates might be avoided.

Mr. GORST supported the clause in the interest of the child itself. He asked whether a young person could not be employed under circumstances where a child could not be set to work, and whether a young person could not take work which could not be given to a child? For instance, a child might be strong enough to work in the part of a lucifer match factory where dipping was not carried on; yet, on reaching the age of 13 or 14, he might still be utterly unfit to be taken into the dipping department; and if he could be so transferred without a fresh certificate being obtained, he might suffer seriously in health.

Mr. TENNANT said, the regulations in the Bill applied to the whole, and not to a part, of a factory.

Mr. FIELDEN said, the essential point was fitness. In practice, a person working full-time, was put to very different employment to that to which a child working half-time would be put. It was a very different thing to employ a person for 10 hours, and to allow him to labour for one-half of that period; so that it was most important that a surgeon's certificate should be given to show that a child was fit to become a "young person," and to do the extra work of those coming under that category. He hoped the Home Secretary would not give way.

Mr. ASSHETON CROSS thought the Committee ought not to give way after what had been stated by the last speaker. More work was thrown upon a young person than upon a child, and the question was whether he would be able to undergo it, a point which a surgeon's certificate would settle. There was also the point that, when a child had passed a certain educational standard, it should be enabled to work as a young person at the age of 13, and it would be more satisfactory if it were compulsory to have a medical certificate of physical fitness. He hoped the Committee would retain the clause as it stood.

Mr. MUNDELLA said, he would withdraw the Amendment, as the Home Secretary felt disinclined to accept it.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

(2.) *Accidents.*

Clause 31 (Notice of accidents causing death or bodily injury).

Mr. LYON PLAYFAIR moved, in page 15, line 32, after "sent," to insert "to the inspector and."

Amendment *agreed to.*

Mr. PARNELL remarked, that the clause only provided that notice should be sent in cases where the bodily injury was produced either by machinery moved by steam, water, or other mechanical power, or by explosion, or by escape of gas, steam, or metal; and he suggested that the Home Secretary should consider whether the clause should not be extended to all kinds of accidents occurring in factories.

Mr. TENNANT moved, in page 15, line 38, after "furnace," to insert "or other factory or workshop where the occupier is not."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 32 (Investigation of and report on accidents by certifying surgeon).

Mr. LYON PLAYFAIR moved, in page 16, line 7, to leave out from "send," to "and," in line 8.

Amendment *agreed to.*

Dr. WARD proposed the omission of words by which the certifying surgeon should send a report of his investigation as to the nature of the injury caused by the accident to the Inspector within 24 hours of making such an investigation.

Amendment *agreed to.*

Mr. GORST said, the last part of the clause proposed that the surgeon should be paid for his investigation a fee of not more than 10*s*., nor less than 3*s*., as the Secretary of State considered reasonable. This was a restriction upon the discretion of the Secretary of State, who, he considered, should have larger powers than he had taken to himself under the clause. He moved, in page 16, line 18, to leave out "not exceeding ten nor less than three shillings."

Mr. ASSHETON CROSS failed to see the necessity for the Amendment.

Amendment, by leave, *withdrawn.*

Mr. RITCHIE expressed some surprise that the Home Secretary had accepted the hon. Member's (Dr. Ward's) Amendment. It did not appear to him to be consequential, and if the Home Secretary were to re-consider it, he would probably see that it made a great change in the clause. A provision, by which a report as to the nature and cause of the death or injury resulting from the accident should be sent by the surgeon to the Inspector, ought to be retained in the Bill.

Mr. ASSHETON CROSS said, he had assented to the Amendment under the impression that it was consequential; but he would re-consider the point before the Bill was reported.

Clause, as amended, *agreed to.*

PART II.

Special Provisions relating to particular classes of Factories and Workshops.

(1.) *Special Provisions for Health in certain Factories and Workshops.*

Clause 33 (Limewashing and washing of the interior of factories and workshops) *agreed to.*

Clause 34 (Limewashing, painting, and washing of the interior of bakehouses) *agreed to.*

Clause 35 (Provision as to sleeping places near bakehouses) *agreed to.*

Clause 36 (Provision as to ventilation by fan in factories and workshops) *agreed to.*

Clause 37 (Protection of workers in wet spinning).

Mr. TENNANT moved, in page 18, line 9, after "tow," to insert "or other fibrous material."

Mr. RITCHIE thought it would be better to leave out "flax, hemp, jute, and tow," and leave the words "wet spinning" to cover the whole. He proposed to move an Amendment in accordance with that view.

The CHAIRMAN said, it could not be done unless the hon. Member's (Mr. Tennant's) Amendment were withdrawn.

Mr. ASSHETON CROSS was hardly prepared to say that it would be safe to leave the words "wet spinning" by themselves, and thought the term itself rather vague.

Mr. RITCHIE considered that the term was sufficiently inclusive, as it would apply to any spinning done under a wet process.

Mr. GORST hoped the clause would be allowed to stand in its original form, because if "wet spinning" stood alone, the justices, who had to administer the Act, might experience some difficulty in construing its exact meaning.

Sir HENRY JACKSON agreed that the words proposed ought to remain; a long list of particular things followed by general words were a fertile source of difficulty among lawyers.

Mr. ASSHETON CROSS said, that if the hon. Member for Leeds (Mr. Tennant) would withdraw his Amendment, he would take legal advice as to whether "wet spinning" would cover all that was necessary, and if it were found that they would not meet the case, then he would consider what other words would best apply.

Amendment, by leave, *withdrawn.*

Mr. BRISTOWE hoped that special attention would be given to the clause, because it was so worded at present that it was most difficult to understand. What, for instance, was meant by the words "and where hot water is used, for preventing the escape of steam into the room occupied by the workers?"

Mr. ASSHETON CROSS said, the clause had been in operation since the year 1844, and there had not been the slightest difficulty experienced in construing it.

Mr. A. M'ARTHUR suggested that the escape of steam should be prevented "as far as practicable."

Mr. ASSHETON CROSS promised to consider the point before the Report.

Mr. PARNELL moved the omission of the words "and where hot water is used, for preventing the escape of steam into the room occupied by the workers." He failed to see how, if hot water were in a room, it would be possible in all cases to prevent steam escaping into the open air. Perhaps the clause had been framed at a time when the properties of steam were not well understood. How could the escape of steam in a laundry be prevented?

Dr. LUSH said, the distinction between steam and vapour did not appear to be understood.

Mr. GORST thought the clause did not apply to laundries at all, but to a very limited class of factories.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 38 (Prohibition of employment of children and young persons in certain factories or workshops).

Mr. TENNANT moved, in page 18, at end, to add—

> "Where it appears to a Secretary of State that by reason of the nature of the process in any class of factories or workshops, or parts thereof, not named in the said Schedule, the work carried on therein is specially injurious to health, he may, if he think fit, by order made under this part of this Act, extend the prohibition in this section to the said class of factories or workshops, or parts thereof. If the prohibition in this section is proved to the satisfaction of a Secretary of State to be no longer necessary for the protection of the health of children, young persons, or women, in any class of factories or workshops, or parts thereof, to which the prohibition has been extended by an order, he may, by an order made under this part of this Act, rescind the order of extension, without prejudice, nevertheless to the subsequent making of another order."

There were many trades not mentioned in the Schedule, which were injurious to the health of children and young persons—such for example, as were connected with grinding, certain operations in the manufacture of pottery, earthenware, or in bleaching works; and injurious trades might spring up at any time which could be dealt with so far as the employment of children, young persons, and women, was concerned, if a discretionary power were placed in the hands of the Home Secretary.

Mr. ASSHETON CROSS said, there was a great deal to be urged in favour of this provision, because with increasing knowledge new manufactures must develop, some of which might require supervision. Therefore, he had nothing to say if the Committee imposed this duty on the Home Secretary. He had not inserted such a provision in the Bill, because he had thought the wisest course would be, that when any dangerous trade sprung up, Parliament should be consulted on the propriety of its being brought under legislation.

MR. FIELDEN said, the Amendment would give very large powers to the Home Secretary, and any new restrictions should be submitted for the approval of Parliament in the usual way. He hoped the Amendment would not be pressed.

MR. ORR EWING thought that such changes as those proposed ought to be effected by means of legislation when necessary.

SIR ANDREW LUSK considered that the Home Secretary had taken a wise course in saying that he had secured as much power in the Bill as he considered necessary.

MR. TENNANT said, he could produce ample evidence from the Reports of Inspectors that restrictions on other trades than those mentioned in the Schedules were necessary, and that a power of prohibition should be given to the Secretary of State. He would withdraw the Amendment, and include certain trades in the Schedule when it came under discussion.

MR. PARNELL could not help feeling aghast at the attempt made by the Home Secretary to provide for everything, and believed it would have been much better if some power had been given to the local authorities to deal with many questions included in the Bill.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 39 (Prohibition of taking meals in certain parts of factories and workshops).

MR. PARNELL moved, in page 18, to leave out from commencement of clause to "not," inclusive, and insert "no person shall be." The language of the clause and the 2nd Schedule taken together appeared to appoint to especial and particular dangers in the trades specified. In some places where they were carried on, the air would, during meal-times, probably be full of dust or gritty particles, and as the trades specified were so few in number, it would be well to extend the provisions of the clause to all persons working at the dangerous branches of those occupations.

MR. ASSHETON CROSS said, his objection to this Amendment was the same as he had taken to others; that Parliament did not legislate for men. With regard to the special occupations mentioned in the 2nd Schedule, they had not been picked out by him nor selected by mere caprice, but were trades upon which legislation had already taken place. Those trades had been the subject of minute inquiry by a Royal Commission, upon whose recommendations several Acts had been founded and passed.

Amendment *negatived.*

Clause *agreed to.*

Clause 40 (In print works, and bleaching and dyeing works, period of employment and time allowed for meals).

MR. J. K. CROSS asked why the hours were reduced in these particular works to the same hours as in textile factories, when they were not reduced in many other industries more detrimental to the health of the workers? It was shown before the Royal Commission that in dye and print works the number of protected persons was only 32½ per cent, while in cotton factories it was over 70 per cent. Many trades much more detrimental to health than dyeing and bleaching were passed over altogether. In percussion cap-making, book-binding, paper-making, and staining, more young persons were employed than in the trades referred to in the clause.

MR. ASSHETON CROSS said, he had simply adhered to the recommendation of the Royal Commission. The actual Report upon this very subject occupied four pages, and contained everything he could say of the evil effects of longer hours. The conclusion the Commissioners came to was, that the hours might be reduced without serious inconvenience to the employers. He did not think he would be justified in reading the Report unless the Committee wished it, and he would only say that the reasons which were there so fully stated he had adopted as his own.

Clause *agreed to.*

Clause 41 (Power to require certificates of fitness for employment of children and young persons under 16 in certain workshops) *agreed to.*

(3.) *Special Exceptions relating to General Law in certain Factories and Workshops.*

Clause 42 (Period of employment between 8 a.m. and 8 p.m. in certain cases) *agreed to.*

Clause 43 (Power to Secretary of State to allow period of employment between 9 a.m. and 9 p.m. in certain cases) *agreed to.*

Clause 44 (Power of working male young persons above 16 in lace factories) *agreed to.*

Clause 45 (Power of working male young persons above 16 in bakehouses) *agreed to.*

Clause 46 (Substitution by Secretary of State of another half holiday for Saturday) *agreed to.*

Clause 47 (Employment in Turkey red dyeing on Saturday up to 4 30 p.m.).

Mr. TENNANT moved, in page 22, line 33, after "afternoon," to insert—

> "But the additional number of hours so worked shall be computed as a part of the week's limit of work, which shall in no case be exceeded."

Mr. ORR EWING said, that Commissioners had twice been appointed to inquire into the question of the number of hours worked in Turkey-red dyeing. The Commission of 1854 reported in 1855, that no legislation was necessary; and the Commission of 1866, which reported in 1869, concurred in that opinion.

Mr. E. JENKINS asked why the trade of Turkey-red dyeing was to have a special advantage over every other?

Mr. ASSHETON CROSS replied, that this trade had been examined into several times, and it had not been found that any mischief resulted from the manner in which it was conducted. With regard to the particular exception which stood in this clause, the Royal Commission of last year reported that they had found it necessary to again inquire into the question of the Saturday half-holiday in the case of the Turkey-red dyeing trade which had, by a series of modifications, been placed to a great extent outside the restrictions imposed by the law upon other trades. It had been represented to them that the trade was altogether a peculiar one; there were no less than 24 processes, each occupying at least a day, through which it was necessary to pass the material; and it was urged that to give a half-holiday on Saturday would cause serious interference with the work, although it was found that practically it was finished between 2 and 3 on Saturday afternoon. The hon. Member would therefore see that the process of Turkey-red dyeing was very peculiar, requiring a certain number of hours each day, and involving the necessity of going on from day to day. Seeing that the Commissioners had not recommended a change, he (Mr. Cross) certainly could not sanction any without further inquiry.

Mr. TENNANT did not mean by the Amendment to interfere with the process at all. If it could be carried through by half-past 4, there was no reason why the week's limit should be exceeded. He would certainly divide the Committee unless some arrangement were come to that that should not be done.

Mr. ORR EWING said, the trade did not work more than 60 hours in any one week. On Saturdays they very seldom worked after 3, or half-past 2. He was sure they worked less hours per week than other trades.

Mr. MONK said, what it was desired to affirm was that women and young children should not be forced to work more than a certain number of hours a-week. As it seemed necessary that there should not be a limit to 2 o'clock on Saturdays, but that they should be allowed to work till half-past 4, he hoped the Amendment would be accepted.

Mr. FIELDEN thought that under no circumstances ought the statutory number of hours per week to be exceeded.

Lord FREDERICK CAVENDISH suggested that all difficulty would be obviated if words were inserted in the clause providing that 60 hours a-week should not be exceeded.

Mr. W. HOLMS said, that there was a general feeling in Scotland that those engaged in this trade should not be permitted to work more hours than those employed in other trades.

Mr. ASSHETON CROSS intimated his willingness to accept the Amendment if the words "be exceeded" were substituted by the words "exceed 60 hours."

Mr. MUNDELLA pointed out that 60 hours were more than the bleachers and dyers had to work.

Mr. ORR EWING would assent to the shortening of the hours not to exceed 60 in the week, so as to allow the work to be continued till half-past 4 on Saturday if necessary.

Mr. LYON PLAYFAIR thought the Committee were of one mind. They did not object to allowing till half-past 4 on Saturday, but they did not see any reason for giving more hours per week.

Mr. KNOWLES pointed out that the Commissioners who had gone over these works had come to the conclusion that it was absolutely necessary to give till half-past 4 on Saturday.

Sir EDWARD WATKIN said, the Turkey-red dyeing trade was brought from Switzerland, and if too many restrictions were placed upon it, it would be impossible to carry it on in this country.

Mr. ASSHETON CROSS said, they were not discussing the Saturday question at all. The only question between the hon. Member for Dumbarton (Mr. Orr Ewing) and the Committee was whether the number of hours per week should be 60 or 56½.

Mr. KNOWLES observed that the other dyers and bleachers throughout the Kingdom said they did not work more than other textile trades; but they required 60 hours a-week. The question was whether the Committee would allow Turkey-red dyers 60 hours, and other dyers only 56½ hours per week.

Sir ANDREW LUSK did not think the hon. Member for Dumbarton had been accorded fair play in this discussion. The Royal Commssion were of opinion that these works required the extra time, and therefore he (Sir Andrew Lusk) considered they ought to have it.

Sir JOSEPH M'KENNA asked whether they were to give a draw-back of 3½ hours a-week in favour of those who chose to consume Turkey-red dyes, as compared with those who consumed fabrics dyed any other colour?

Mr. ORR EWING understood the Home Secretary to say he would accept the Amendment if there were an addition to it, stating that the time during the week should in no case exceed 60 hours.

Mr. ASSHETON CROSS had made the suggestion that that limit should be inserted in the Amendment; but it had not been accepted on either side of the House, and therefore he had regarded it as withdrawn.

Sir SYDNEY WATERLOW suggested that the Amendment should state that the number of hours should not exceed 56½ per week. He thought they were all agreed upon that point.

Mr. PARNELL said, they did not use much dye in Ireland. Irish ladies, for instance, were perfectly satisfied with natural colours. As far as he understood it, if they left the clause as it was, it would give the Turkey-red dyers 60 hours a-week. What the Committee wanted to do was to give them till half-past 4 on Saturday, and at the same time only to give them 56½ hours per week.

Mr. MUNDELLA moved to amend the proposed Amendment by leaving out the words "be exceeded," and inserting the words "exceed 56½ hours per week."

Mr. TENNANT said, the Amendment was unnecessary, as all dye works were included under the Textile Fabrics Act.

Mr. MUNDELLA would withdraw his Amendment if the Home Secretary would assure him that these works came under that Act.

Amendment (*Mr. Mundella*) *agreed to.*

Amendment (*Mr. Tennant*), as amended, *agreed to.*

Clause, as amended, *agreed to.*

Clause 48 (Giving half holidays and holidays on different days to different sets of children, young persons, and women) *agreed to.*

Clause 49 (Employment of young persons and women by Jewish occupiers of factories or workshops).

Mr. BIRLEY moved, in page 23, after line 17, to add the following sub-section:—

"(3.) From specifying in a notice affixed in the factory or workshop, as hereinbefore provided any two public holidays under 'The Holidays Extension Act, 1875,' in lieu of Christmas Day and Good Friday: Provided always, That such factory or workshop shall not be open for traffic on Christmas Day or Good Friday, and that this exception shall apply only to factories or workshops in which the young persons and women employed are of the Jewish religion."

It would not be necessary, he observed, for him to explain the Amendment at any length, because, under Clause 22 of the Bill, there was an analogous provision.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 50 (Employment of Jews by Jews on Sunday).

Mr. BIRLEY moved, in page 23, line 31, after "Sunday," to insert—

"or, at his option, as if Friday were Saturday, Saturday were Sunday, and Sunday were Monday. The days so substituted shall be specified in a notice affixed in the factory or workshop."

The Jewish Sabbath began at sunset on Friday, and it was of great importance, therefore, to a Jewish employer, who had only Jewish workpeople, that he should be allowed to give them what was equivalent to our Saturday half-holiday.

Mr. ASSHETON CROSS said, that as far as the principle was concerned, he saw no objection whatever to the Amendment; but although he believed that Jewish employers would strictly carry out the meaning and intention of his hon. Friend, he did not like the words which it was proposed to add.

Mr. HARDCASTLE thought it might be desirable to introduce some words for the prevention of proselytism of the kind indicated when the Universities Bill was under discussion, and when it was suggested that the concession of privileges to Dissenters, in regard to attendance at the College Chapels, might cause many young Churchmen to profess themselves Dissenters. He did not see anything in this clause to prevent young persons who were not Jews declaring from themselves to be of the Jewish persuasion.

Mr. ASSHETON CROSS pointed out that this was not new legislation. The matter was first dealt with, he believed, by the Act of 31 & 31 *Vict.* c. 103, 10 or 11 years ago.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Mr. Birley

(b.) *Meal Hours.*

Clause 51 (Exception as to meal times being simultaneous, and as to employment or remaining in rooms where manufacturing process is carried on during meal times) *agreed to.*

(c.) *Overtime.*

Clause 52 (Power to employ young persons and women for 14 hours a day).

Mr. ASSHETON CROSS, in order to meet the case of women in London who objected to leave their homes before 9 o'clock in the morning, moved, in page 24, line 19, after "evening," to insert—"or beginning at nine o'clock in the morning, and ending at ten o'clock in the evening."

Mr. WHITWELL regretted to find that the right hon. Gentleman proposed to add another exemption to those already granted. He could not support the Amendment.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 53 (Power to employ for half an hour after end of work, where process is in an incomplete state) *agreed to.*

Clause 54 (Employment of young persons and women in Turkey-red dyeing, and open-air bleaching, to prevent damage).

Mr. PARNELL said, this clause affected, to a certain extent, the decision at which the Committee had already arrived. It provided that if it became necessary by any damage likely to arise from spontaneous combustion in the process of Turkey-red dyeing, young persons and women might be employed as long as was necessary in order to prevent such spontaneous combustion.

Mr. ASSHETON CROSS said, this was merely an extract from 33 & 34 *Vict.* c. 62. Turkey-red was extremely liable to spontaneous combustion, and for that reason, when the subject was carefully investigated in 1870, this provision was introduced into the Act of Parliament. As, however, the hon. Member had called attention to the point, he would see how far this clause was connected with the decision which the Committee had already come to.

Sir JOSEPH M'KENNA was of opinion that this stood on an entirely different basis from the provision they had already considered, and hoped the restriction which he had supported would not be applied to this clause.

Clause *agreed to.*

Clause 55 (Employment of women for 14 hours a day to preserve perishable articles) *agreed to.*

(d.) *Night Work.*

Clause 56 (Employment of male young persons at night) *agreed to.*

Clause 57 (Employment in certain letterpress printing works of male young persons over 16 at night) *agreed to.*

Clause 58 (Employment of male young persons at night, &c. in glass works) *agreed to.*

(4.) *Special Exception for Domestic Factories and Workshops, and certain other Workshops.*

Clause 59 (Exception of domestic and certain other factories and workshops from provisions of the Act) *agreed to.*

(5.) *Supplemental as to Special Provisions.*

Clause 60 (Requirement of sanitary provisions as condition of special exceptions).

MR. PARNELL moved, in page 28, line 41, after "cleanliness," insert "warning." An hon. Gentleman opposite had said that workmen objected to ventilation, and sometimes stopped up the ventilators with their caps. He had heard of the same kind of thing being done in prisons. This proved, however, not that there was too much ventilation, but rather that there was too little warmth; and, he thought, a provision was necessary in order to add to the warmth of factories and workshops in such cases.

MR. TENNANT thought it would be practically impossible to carry out the proposal embodied in the Amendment.

SIR JOSEPH M'KENNA suggested that if the word "temperature" were used instead of "warmth," the whole case would be met.

MR. ASSHETON CROSS said, if this question were to be discussed at all, it ought to be discussed on another part of the Bill, because the Committee were now only applying what the former portion of the Bill contained. He should have thought that in factories and workshops cooling was much more necessary than warming. He did not think the State could undertake to regulate the temperature in which persons were to work.

MR. PARNELL had always understood that ventilation answered the purpose of cooling to a very great extent. As far as cooling could take place, it would be effected by ventilation. Hon. Members often had experience of this in the House of Commons. Last Session, during the late Sittings, on several very hot nights, due means were taken to ventilate the House, and of course to cool it at the same time. But, although a room might be cooled by ventilation, it could not be warmed by ventilation. He intended again to call attention to this matter on the Report, and he would now ask permission to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 61 (Power to rescind order granting or extending exceptions) *agreed to.*

Clause 62 (Provisions as to order of Secretary of State under Part Two of Act) *agreed to.*

Clause 63 (Provisions as to occupier availing himself of special exceptions and registry of work under them) *agreed to.*

PART III.

ADMINISTRATION, PENALTIES, AND LEGAL PROCEEDINGS.

(1.) *Inspectors.*

Clause 64 (Appointment, payment, &c. of inspectors of factories, and clerks and servants).

DR. CAMERON drew attention to the necessity of having offices in all large towns at which the sub-Inspectors of factories in the district could be found. In Glasgow the greatest difficulty had been experienced from the absence of any such address. He was told by the Glasgow School Board that in connection with the Education Act they wanted to find out the sub-Inspector of factories in the district, and they actually had to write to London for the address. On looking over *The Glasgow Directory*, he found there was no address given of the sub-Inspector of factories; and the same he found to be the case in the Directories of Liverpool and Manchester. The reason of this was very obvious. The sub-Inspectors were not very largely paid, and they were obliged to live at addresses which they did not care to parade before the public. In some cases, indeed, it was their custom to have their letters addressed to the Post Office. This ought not to be so, and therefore he would propose that words should be here inserted, which, in connection with a subsequent clause he would propose, should enact that in the chief town of each district, or in such other towns as the Secretary of State might direct, an office should be established, and a register of the factories and workshops within the district kept, which should be open to the inspection of the public at all reasonable hours. It might be objected that this would entail some additional expense, but the expense need not be very great. There were only 50 sub-Inspectors throughout the country, and, therefore, it would not cost much to provide office accommodation for the whole of them. If this were not done, however, the Home Secretary ought to insist upon offices being provided in the large towns, say of more than 25,000 and 50,000 inhabitants. He concluded by moving, in page 31, line 10, after "London," to insert "and sub-Inspectors with offices as hereinafter provided."

Mr. ASSHETON CROSS said, to provide offices for all the Inspectors would be a very great expense, and a greater expense than he thought it was necessary to incur. He found, however, on inquiry, that he could do a great deal to meet the views of the hon. Member in another way, and he would take care that the names and addresses of the Inspectors in the whole of the towns should be fully known, and due notice given of any change. He could not, however, consent to ask the Treasury to go to the expense which would necessarily be involved in providing offices for all the Inspectors.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 65 (Powers of Inspectors).

Mr. HOPWOOD moved, in page 31, line 42, after "thereof," to insert "not being a private dwelling-house or room." He wanted to call the attention of the Committee to the extraordinary powers placed in the hands of the Inspector under this Bill; because it was a style of legislation which he hoped they might check before it grew to an excessive indulgence, affecting, as it did, the rights of any man in his own house. He found that power was to be given to enter any factory or workshop at any period of the day or night. Now, the workshop might be a dwelling-house, and he wanted to prevent any such power being given in that case. A man in his own house ought not to be left at the mercy of the judgment of a public officer to enter it when he pleased. He also found it proposed that the Inspector might bring with him a certifying surgeon and a constable to assist him. He admitted this last proposal was about to be softened by an Amendment, to be proposed by the Home Secretary; though, as regarded the first matter to which he had referred, he should feel it his duty to test the opinion of the Committee.

Amendment proposed, in page 31, line 42, after the word "thereof," to insert the words "not being a private dwelling house or room."—(*Mr. Hopwood.*)

Question proposed, "That those words be there inserted."

Mr. ASSHETON CROSS was sorry the hon. and learned Member had not placed his Amendment on the Paper, and he was also sorry that he had not quite mastered the effect of the Amendment of which he had himself given Notice. The Amendment which he had placed on the Paper was to strike out all the words in the paragraph from "him" to "and" in line 7, and to insert—

> "In either case a constable into a factory in which he has reasonable cause to apprehend any serious obstruction in the execution of his duty."

So that would remove the constable altogether, except so far as a factory was concerned, and everything about a private dwelling-house had been excepted in an earlier part of the Bill, unless the dwelling-house was a workshop, and as regarded that, he proposed hereafter to move the following new clause:—

> "The exercise in a private house or private room by the family dwelling therein, or by any of them, of manual labour by way of trade, or for purposes of gain, in or incidental to any of

the handicrafts as specified in the Fifth Schedule of this Act, shall not of itself constitute such house or room a workshop within the meaning of this Act."

He hoped, with this explanation, the Amendment would not be pressed.

MR. O'CONNOR POWER did not think the statement of the Home Secretary set aside the argument of the hon. and learned Member (Mr. Hopwood) in favour of his Amendment. As he understood the hon. and learned Gentleman, he was as anxious to exclude the Inspector from the private dwelling-house as he was to exclude the constable, because he looked upon the power proposed to be given to the Inspector as a dangerous power; and it was no answer to that for the Home Secretary to say he had saved the private dwelling from the dangers of the policeman.

MR. ASSHETON CROSS said, the hon. Member had not read the Amendment he had placed upon the Paper.

MR. O'CONNOR POWER had heard the Home Secretary's explanation of it.

MR. ASSHETON CROSS said, where a place was really and truly a private dwelling-house, then even the Inspector could not go into it.

MR. PARNELL did not think the new clause would contradict what was enacted in Clause 16.

MR. WHITBREAD was as anxious as the hon. and learned Member (Mr. Hopwood) was to exempt a private house from the operation of the Bill, where the private house was really the house of the family; and, as he understood the Amendment of the Home Secretary, the law would be this—where none but the members of the family laboured, then the private house would be exempt; but if, under the guise of a dwelling-house, people carried on work, at which other than the members of the family were employed, then surely it was reasonable the Inspector should have admission.

MR. HOPWOOD complained of the summary manner in which the Home Secretary had treated his Amendment; but he should not be deterred from doing his duty either by the indifference of the right hon. Gentleman or the laughter and jeers of his supporters. He contended that when the Home Secretary disposed of him in the summary way he did, he had no just right to do so. In the favourite new clause of the right hon. Gentleman, the words occurred "where the labour is exercised at irregular intervals." Now, who was to decide what irregular intervals were. It appeared to him that a poor family might one week carry on one class of sewing work, and be subjected to the visit of the Inspector; while another week, if they carried on a different class of sewing work, they might not be subjected to a visit. He hoped, therefore, the Home Secretary would attend a little more to the suggestions coming from the Opposition side of the House.

MR. GORST said, hon. Gentlemen sitting on his side of the House were quite as anxious as those sitting opposite to see that justice was done in this matter; but, as the clause now stood, an Inspector could not enter a house at all, except it was a workshop, and it must be a real workshop. If he made a mistake, and entered a *bonâ fide* dwelling-house, then he would be a trespasser, and he would be liable to the penalties of a trespasser. Even if it were a workshop, he might only enter it if he had reasonable cause to believe there was some person being improperly employed there. There, again, if he made a mistake, he could be treated as a trespasser. He asked any hon. Gentleman if it was possible to carry out this Bill with less powers than those asked for by the Home Secretary.

SIR SYDNEY WATERLOW sympathized with the object of the hon. and learned Member (Mr. Hopwood), but thought it would be better attained by waiting until they came to discuss the new clause of the Home Secretary. They had yet to decide what was really to be a workshop. He therefore asked the hon. and learned Member to withdraw his Amendment for the present.

MR. O'CONNOR POWER believed, from the discussion which had taken place, the Home Secretary would perhaps see the necessity of drawing up a special clause, which might be inserted afterwards on Report. He made this suggestion for this reason. The new clause, to which the right hon. Gentleman had directed attention, had been framed not for the protection and security of the character of the private dwelling-house, but its object was for the exemption of certain trades. The clause itself was headed "Exemption of Certain Trades." If the object of the clause was to obtain protection for the private dwelling-house, why was it not so stated? Let the right hon. Gentleman undertake to bring in a special clause later on, for the purpose of preserving the private part of any house which it might be the duty of an Inspector to visit. He could perform his duty by going through the workshop, and he need not have the liberty which was implied of going into the private parts of the house.

Mr. ASSHETON CROSS said, he could assure hon. Gentlemen he was just as anxious as they were to preserve the private character of the house; and he had already stated, that so far as the constable was concerned, he had disapproved. As far as the Inspector was concerned, hon. Members must remember the great hardships which were inflicted before the Factory and Workshops Acts came into existence. There were a great many trades which were practically carried on by the family, and where the children were the feeders supplying the father and mother with the necessaries—where these things were so carried on, they were to all intents and purposes workshops, and ought so to be treated; but, on the other hand, where the home was carried on as an ordinary home, although the children might be employed in earning money, there nothing would induce him to sanction the principle of applying inspection in such a case.

Mr. HIBBERT thought some special provision ought to be made for the visits of the Inspectors to these domestic workshops. That, he thought, would meet the difficulty.

Mr. HERMON had come to the conclusion, that he had never heard a debate where the interests of the employers of labour had been so sedulously cared for. Hon. Members opposite seemed to have mistaken the scope of this Bill. It was introduced for the benefit of those who were employed, and not for the benefit of the employer. Hon. Members seemed to think this Bill had been introduced entirely for the benefit of millowners—["No!"]—he knew the Bill had not that object, but hon. Members had been arguing very much as if it had. The Bill was to prevent overwork, and to see that the people had proper times for their meals, and for other purposes; and he protested against the view of the measure taken by hon. Gentlemen opposite.

Mr. FAWCETT observed, that they had been told that the intention of the clause was to prevent women being overworked, and that was a very good intention. He did not want to have them over-worked; but he also wanted to protect them against being under-paid. With regard to the Amendment of his hon. and learned Friend, he had listened carefully to the Home Secretary; and he did not seem to him to have answered the objections of the hon. and learned Member for Stockport. According to the Bill, an Inspector would have a right to enter at any time a home in which father, mother, and children might be carrying on an honest industry. They were told that the Inspectors could not enter without having a reasonable excuse for so doing; but they could not leave the homes of England to such a risk as they would thus incur, since the reasonable excuse was to be left to the Inspector's own interpretation. He agreed with the hon. Member for Oldham (Mr. Hibbert), therefore, that they required some new clause. They knew that light industries were to be exempted. Their case had been well argued; but they now wanted additional securities against the intrusion of the Inspector, and unless they received from the Home Secretary some concession in accordance with the views of the hon. Member for Oldham, he hoped the Committee would be divided upon the question.

Sir GEORGE CAMPBELL thought the Amendment of the hon. Member for Maidstone (Sir Sydney Waterlow) would meet all objections. He understood the Home Secretary to say he did not accept it, but he was not quite sure that that was his meaning; and he, therefore, wished him to make clear to the Committee whether he did refuse to accept the Amendment.

Mr. ASSHETON CROSS said, he did not think it fair that he should be pressed at that point to state his view of the matter under discussion. What he had insisted on was, that where there was a *bonâ fide* reason for believing that children and young persons were being badly treated, it was necessary that the Inspector should have power to interfere to prevent it. In his opinion, they were not gaining time by that discussion, and it would be better to wait until they came to his new clauses. He would only add that the Bill in this respect contained nothing new. What it proposed had, in fact, been in practice for some years.

SIR HENRY JACKSON considered that the matter was one rather of phraseology and drafting. They were all agreed that homes were to be free from the Inspector's visits under all but exceptional circumstances. He thought, however, there was some ambiguity in the wording of the clause; because the clause as drawn suggested that though a perfectly legitimate industry might be carried on in a house, yet, if that industry were coupled with something else which was left undefined, the practical effect would be to turn that house into a workshop.

MR. MUNDELLA said, the Committee must have regard for the welfare of the children working in these homes. That this was necessary, was proved by what Mrs. Simcox had done for the persons engaged in the shirt trade. Unless this point was kept in view, the trade would drift away into those small sweating-rooms, where no care whatever was taken of them. A great quantity of work in the lace-drawing trade was done in small cottages, where some half-dozen little children worked under an old crone, who held a cane in her hand, and occasionally used it. He hoped the Committee would stand by the clause. He would stand up for the sanctity of homes and the rights of women as much as anyone; but he did not believe in the chivalry that left them at the mercy of careless hands in the places they were speaking of.

MR. O'SHAUGHNESSY said, that if the hon. and learned Member for Stockport (Mr. Hopwood) divided, he should vote against the Amendment, because it would entirely protect these homes from the operation of the Act, which he thought would be highly undesirable.

MR. O'CONNOR POWER observed, that the matter was too serious a one to be disposed of by the simple mode of treatment applied to it by the hon. Member for Sheffield (Mr. Mundella). The hon. and learned Member for Chatham (Mr. Gorst) told them that if an Inspector entered a house improperly he would lay himself open to an action. They might be told in the same way that if a person was assaulted in the street, he could bring an action against his assailant; but it was impossible to legislate satisfactorily on such a principle. What they wanted was a new clause to give security to those homes.

MR. GRAY said, he did not see that religious and charitable institutions—such as convents—were protected. He did not say that such places should be more protected than others; but under this clause almost every convent would be a factory or a workshop, because washing and various other domestic operations were carried on in them, and also some industrial processes. If the clause passed as it stood, therefore, it would give power to the Inspector to enter every one of those places. In many of those institutions in Ireland, and also in England, industrial employments were carried on —not so much for the sake of gain, however, as to give instruction to the persons who were cared for in them, and whose work was sold. It appeared to him that those establishments would be constituted factories or workshops under the Bill. He should support the Amendment.

MR. PARNELL reminded the Committee that they were legislating for various classes of persons who were not represented in that House, and they should on that very account be especially cautious in the enactments they made. He knew that the new clauses of the Home Secretary struck out the private houses of hon. Members, for example; but they left to the operation of the Bill the houses of those poor persons who were obliged to work in their homes at the various industries by which they gained their livelihood. If the question were put to Members of that House in their own case, they would not give an Inspector power to enter their homes at any hour of the night. The Committee should, therefore, consider well what it was about before it sanctioned that to be done in the case of other people that which it would not tolerate in its own. He would suggest that a new clause should be brought up in the Report, providing that in all cases where an Inspector thought it necessary to search a house, he should first obtain a magistrate's warrant.

LORD FREDERICK CAVENDISH said, it certainly appeared to him that there was no adequate protection afforded for the cases in which it should be given. Before the Committee sanctioned the proposal, he would strongly recommend them to read the Report of the Children's Employment Commission.

Mr. HOPWOOD thought it was too much to say that, because there were some individual cases of hardship, therefore there should be a general loss of liberty. By the clause, as it stood, every place was made a workshop in which any person was supposed to be at work. The supporters of the clause said they had a right to urge what they were urging; but the Home Secretary admitted that the objections of his opponents on this point were well founded, and put on the Paper an Amendment to meet it. That Amendment, however, was altogether unsatisfactory, because it established another test, according to which the Inspector was to be guided in the exercise of his discretion, and failed to meet the substantial character of the complaint they made.

Question put.

The Committee *divided*:—Ayes 54; Noes 161: Majority 107.—(Div. List, No. 33.)

Mr. GRAY moved to insert the words—

> "Nothing in this clause shall authorize any Inspector to enter any convent, monastery, orphanage, or charitable institution."

There were, he said, a number of these institutions which might, by the Bill, be brought under the definition of workshops; and he desired, by his Amendment, to raise specifically and distinctly the question of their exemption from the visits of Inspectors.

Mr. NEWDEGATE said, there was a strong feeling amongst a large minority of the House, and a still stronger feeling pervading a vast number of the people of England and Scotland, that conventual and monastic institutions ought, on public grounds, to be inspected—that they ought to be inspected on the same grounds that prevailed in Germany, France, and other foreign countries. There was a proposal now before the Committee to recognize that conclusion, on the supposition that those institutions were used for the purposes of trade. It happened to be within his knowledge that in Belgium, and particularly in the city of Mechlin, the trades carried on in those institutions operated in a most oppressive manner by the competition they brought to bear on ordinary workpeople not connected with them—their endowments being used as against the free labour of the artizans outside. He had never heard that the inmates of these conventual and monastic institutions were better or more leniently treated than the ordinary run of workpeople; on the contrary, he believed that the influence of the "houses" had been to impose upon them labour in a manner condemned by the Factory Acts and by the general law of this country. He hoped, therefore, that the Committee would not entertain the proposal of the hon. Member for Tipperary—the more so for the reason that they had at last an admission that these conventual and monastic institutions were not ordinary private houses, whilst hitherto the argument against their inspection had been that they were private houses. That admission was inconsistent with the general argument which had been used against the introduction into England of a law similar to that in force in Continental countries, and was inconsistent with the scope and intention of the Bill now before the Committee.

Mr. O'CONNOR POWER, as a Catholic Member, was indebted to the hon. Member for Tipperary for bringing forward his Amendment, the object of which had been entirely misapprehended by the hon. Member for North Warwickshire. It was true that the ground upon which the inspection of convents and monasteries had hitherto been opposed was, that they were public institutions; but would the hon. Gentleman be surprised to hear that it was now intended to oppose their inspection on the ground that they were also private houses? The argument by which it was sought to fix them upon the horns of a dilemma existed only in the heated imagination of the hon. Member for North Warwickshire. This was a question, he thought, upon which they might safely appeal to the Secretary of State to say that no case had been made out in any of the Blue Books for dealing with these religious institutions under the Factories and Workshops Act. He hoped the Home Secretary would accept the Amendment, and thus save the Committee from the discussion of a very delicate question which the hon. Member for North Warwickshire would be only too glad to raise.

Mr. ASSHETON CROSS pointed out that if these religious institutions—about which he knew nothing—came under the definition of private houses they would be exempt from inspection; if they partook of the character of workshops they would, he presumed, come under the operation of the Act.

Sir JOSEPH M'KENNA said, that it was quite open to hon. Members to argue, on the one hand, that these institutions were industrial places, and on the other, that they were private houses; but they were generally regarded as religious and philanthropic communities formed for the purpose of finding employment for and reclaiming the vicious and the neglected. That being so, the subject was, to his mind, too important to be disposed of in a summary way; and therefore he should move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Joseph M'Kenna.*)

Mr. ASSHETON CROSS asked if any of the institutions referred to had suffered the slightest hardship or injustice by the operation of the Acts up to the present time. The present Bill left the law precisely the same as before so far as the object of the Amendment was concerned.

Mr. GRAY did not regard the remark of the right hon. Gentleman as in any way convincing. The necessity for the present Bill was the discovery that the law in some instances was inoperative; and in common sense it was only fair to assume that if the measure passed it would enforce more stringent regulations. If not, what was the good of discussing the Bill? His contention was that by the Bill institutions which were formerly private houses, would be converted into workshops—that the meaning of the term "workshop" had been strained so as to create an artificial definition within which those institutions might be included. Whatever abuses might exist in ordinary workshops, there were none which would justify the conversion of conventual institutions into factories or workshops for legal purposes. After the remarks of the hon. Member for North Warwickshire—whose statements must always be taken *cum grano*—the rejection of the Amendment would be considered a distinct indignity by the Catholic Members; whilst, also, the Home Secretary must be regarded as endorsing those remarks.

Mr. NEWDEGATE explained that what he intended to convey was, that certain influences were exercised and a certain discipline enforced in Mechlin and in other parts of Belgium and the Continent, which did not exist in ordinary private houses. The object of the Amendment was to obtain a special exemption, and to that special exemption he objected.

Mr. O'DONNELL was ready to admit that in convents and religious institutions influences were exercised which did not prevail in some private houses; but they were influences for good. The question was one of considerable difficulty, complicated as it was by two points in direct opposition. First, there was the question of the convent with its absolute privacy, and the protection which its semi-sacred character always afforded it in the eyes of Catholics; and then there was the question of the factories or workshops attached to the convent which it might be sought to bring under the operation of the law. It was, however, quite possible that many factories could be conducted under the supervision of nuns and monks; also that many kinds of work could be encouraged by members of monastic and conventual corporations; and yet the inspection of factories and work of that kind might not in any way trench upon the privacy with which a monastery or a convent was conducted. He was sure that no one would recognize more readily than the right hon. Gentleman the Home Secretary the danger that serious misunderstandings might arise if, by hasty legislation, they gave a loophole to zealots on either side to confound proper conventual work, which ought not to be inspected by State officials, with *bonâ fide* work, which, partaking of the character of factory work, might be all the better for such inspection. It might be considered that the ordinary stitching and sewing of the domestic household was a sort of factory work. It was for the Government to show some way by which those two subjects, which were liable to get entangled one with the other, could be distinctly separated;

and, unless the right hon. Gentleman could make that distinction clear to the Committee, he should support the Motion for reporting Progress, though his doing so might give rise to a certain suspicion based upon reminiscences of the past. Perhaps some hon. Member better acquainted with the Forms of the House than he was would be able to indicate how the matter might be fairly brought under consideration on a future day, in order that, on the one hand, the rights of the State to supervise all *bonâ fide* factory work might be maintained, and, on the other, the rights of conscience protected from unnecessary supervision, which would be an insult on conventual and monastic institutions. If they could not see their way to postpone the consideration of this question, he was afraid they had no alternative but to insist, so far as they could do so Constitutionally, upon carrying on their Motions for Progress, and so forth.

Mr. ASSHETON CROSS said, he could not think of accepting the Amendment for a moment, because it would apply to every charitable institution in the Kingdom. If, however, the hon. Member (Mr. Gray) wished to raise the question, his proper course would be to bring the subject before the Committee in a separate clause. If the hon. Gentleman assented to that suggestion, the Motion for reporting Progress might be withdrawn.

Mr. O'SHAUGHNESSY joined in the Motion for reporting Progress, because he agreed that it was absolutely necessary to make some provision for the protection of these institutions. But it seemed to him that, in order to bring private houses under inspection, the business there must be carried on by members of the same family dwelling therein. The Proviso in question enacting that was as follows:—

> "Where persons are employed at home, that is to say, in a private house, room, or place which, though used as a dwelling, is by reason of the work carried on there a factory or workshop within the meaning of this Act, and in which neither steam, water, nor other mechanical power is used, and in which the only persons employed are members of the same family dwelling there."

That evidently had reference to the danger of children being over-worked under the supervision of their parents; and therefore he thought it would apply to industrial schools. The real danger to the institutions in question, if such danger existed, would arise under one of the sub-sections in Clause 88, which defined the class of houses which should be called workshops, and should be subjected to the provisions of the Act—namely, "any premises in which any manual labour was exercised by way of trade or for purposes of gain." These words were very large, and undoubtedly, as he contended, if operations carried on in conventual or monastic institutions, were for the purposes of maintaining those institutions, those would be "purposes of gain."

Sir HENRY JACKSON said, a very important question affecting institutions, which hon. Members on that side of the House wished to protect, had been raised, as it seemed, somewhat accidentally; but he desired to point out that the Amendment of the hon. Member for Tipperary (Mr. Gray) was proposed in rather an awkward place, inasmuch as, if the proposed words were inserted there, they would, by the rules of construction, be excluded everywhere else. His better course would be to allow the present clause to pass, and later on introduce a Proviso to Clause 88—the Definition Clause — whereby he might prevent conventual institutions from being included within the expression "workshop." By adopting that course, the hon. Member would secure for himself and his Friends an opportunity of calmly considering the question in which they took an interest. To introduce the Amendment in the clause under consideration would really do more harm than good. The hon. Member for Youghal (Sir Joseph M'Kenna) might withdraw his Motion for reporting Progress, the hon. Member for Tipperary his Amendment, and the whole question could be raised on the Definition Clause. In the meantime, the right hon. Gentleman the Home Secretary, who no doubt desired to give hon. Members a fair opportunity for discussion, might ascertain from the draftsman the best form in which the Proviso could be prepared.

Mr. GRAY complained that he had been unable to elicit from the right hon. Gentleman the Home Secretary, though he had appealed to him two or three times before, any explanation bearing upon the subject. The absence of such explanation led him to raise the question, as he had done, on a definite issue. The Committee had been a long time occupied with the Bill, and he would suggest as the most convenient course, that Progress be now reported, and the subject discussed, if necessary, at some future stage.

MR. ASSHETON CROSS said, it was quite clear that the Amendment ought to be discussed at a later stage, and not upon this clause. He would be willing to report Progress, as soon as the clause had been agreed to. He hoped, therefore, that both the Amendment and the Motion for Progress would be withdrawn.

MR. GRAY expressed his willingness to withdraw the Amendment and raise the question again, if the hon. Member for Youghal would withdraw his Motion for reporting Progress.

Amendment (*Mr. Gray*), by leave, *withdrawn.*

Motion (*Sir Joseph M'Kenna*), by leave, *withdrawn.*

MR. ASSHETON CROSS (for The O'CONOR DON), moved, in page 32, line 43, at end, to add—

"Provided always, That no one shall be required under this section to answer any question or to give any evidence tending to criminate himself."

MR. E. JENKINS said, it seemed to him that the insertion of this Amendment would have the effect of neutralizing the preceding clause. He would however, like to have the opinion of the right hon. Gentleman on the point.

MR. ASSHETON CROSS explained that the Amendment would not carry the law further than the existing provisions.

Amendment *agreed to.*

MR. PARNELL moved, in page 33, line 6, at end of clause, to add—

"And where an inspector is so obstructed in a factory or workshop within the meaning of section sixteen of this Act, the occupier shall be liable to a fine not exceeding one, or where the offence is committed at night, five pounds."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

COMMONS.

NOMINATION OF SELECT COMMITTEE.

Motion made, and Question proposed, "That Mr. STEPHEN CAVE be nominated a Member of the Select Committee."—(*Sir Henry Selwin-Ibbetson.*)

MR. GOLDSMID said, that on Friday, in the previous week, he had made some observations with regard to the selection of Members to serve on Committees, and he found that those observations had been acknowledged by being totally ignored. On the former occasion, he had pointed out that, however capable, and however able, some hon. Members might be, they had not yet accomplished the feat of being in two or three different places at the same time. There were in the House many hon. Members who, though their election had been comparatively recent, were still men of ability and intelligence, and were anxious to bear their fair share in the Business of the House. That was a fact which the Government, in nominating Committees, ought to bear in mind, and he thought they should take care that upon every Committee, more or less, some few young Members were placed. But instead of that, he saw the changes were rung upon the same names over and over again; the willing horse was over-burdened; and Members, whom they all respected and admired, were put on more Committees than it was possible for them to attend. He did not make that assertion without some reason. Before mentioning the first name, he begged to say that he had spoken upon the subject to the hon. and gallant Member to whom he was about to refer. He had himself had a seat in the House for nearly 11 years, but a much older Member than himself was the hon. and gallant Baronet the Member for West Sussex (Sir Walter Barttelot), one whom they all respected, and who had always taken an active part in the Business of the House. But if the House agreed to nominate the two Committees, which were to be proposed that night, he found that his hon. and gallant Friend would in that case be asked to attend, at the same time, no fewer than five Committees. Two of these were the Royal Artillery Engineers Officers (Arrears of Pay) Committee, which sat last year, and the termination of whose labours this Session had not been fixed;

and the Irish Land Act Committee, which had been re-appointed for the present Session, and which he was informed was not likely to be short in its deliberations. Besides these, his hon. and gallant Friend was an active and useful Member of the Committee on Public Accounts, which had constant work to do during the Session, involving the sacrifice, on the part of its Members, of a great deal of time, attention, and energy; and now it was proposed that the same hon. and gallant Gentleman's name should be placed on two of the most important Committees of the Session—namely, that upon Commons, and that upon Public Business. If appointed to these two last, the hon. and gallant Member would have to serve altogether upon five Committees sitting at the same time. There was another hon. Member of marked ability, whom they had known in that House for many years, the hon. Member for Chippenham (Mr. Goldney), who, if elected as proposed, would also have to serve on five Committees. The hon. Member was already serving upon the Committee on the Lunacy Laws, the Committee on Public Accounts, the Committee on the Metropolis Management and Buildings Acts, and upon the Kitchen and Refreshment Rooms Committee. It was difficult to imagine how the hon. Gentleman could discharge such onerous duties. The hon. Member for Youghal (Sir Joseph M'Kenna), an active and zealous Representative, was a Member of the Irish Land Act Committee, the Public Works (East India) Committee, and the Local Taxation Committee. He could give the House several other instances, but he did not wish to weary hon. Members. Those he had already given, he thought, were sufficient to show that this manner of placing an hon. Member on several Committees, sitting at the same time, was not satisfactory. If he were asked to name some amongst the older Members to serve on Select Committees, who did not already serve upon them, he might mention the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson). If they wanted a Member on the other side of the House, there was the hon. and gallant Admiral (Admiral Sir William Edmonstone) who sat behind the Ministerial Bench, and whose name was remarkable by its absence from the list of Select Committees. There were many new Members, capable, and, he believed, willing to devote their time to public matters, and ready to learn the Business of the House. He had just said to one that he would mention his name to the House, who had begged him not to do so; he referred to the noble Lord the Member for Woodstock (Lord Randolph Churchill), a young Member who had shown an active and intelligent interest in the Business of the House. He could not find that Member's name on any Committees; and there were other young Members, perfectly competent to serve on Committees, whose names were never brought forward. What, therefore, he contended was, that the Government, in preparing these lists of Committees, ought not to overtax the experienced Members of the House, and ought not to put any one Member, however active and willing, to serve upon five Committees at the same time. They ought to select, in conjunction with the older Members, some few Members of less experience, who might learn the Business of the House, and hereafter make themselves as able and as useful as his hon. and gallant Friend opposite (Sir Walter Barttelot), who sat upon five Committees. Therefore, in order to give the Government a little time to consider the nomination of this Committee on Commons, and the one to follow on Public Business, he moved that the debate be adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Goldsmid.*)

THE CHANCELLOR OF THE EXCHEQUER expressed a hope that the House would not think it necessary to adjourn the appointment of this Committee. He understood his hon. Friend (Sir Henry Selwin-Ibbetson) to move it in the nature almost of a standing Committee; because it was one to be appointed for the purpose of taking cognizance of any Bills which might be introduced under the description of Commons. For some time that Committee would not have much to do, and his hon. and gallant Friend (Sir Walter Barttelot) would be usefully employed in finishing up the business of the other Committees on which his name had been placed. With regard to the Public Accounts Committee, that, again, was one which, though it sat all the Session, only met once a week—namely, on Wednesdays, when hon. Gentlemen were not usually engaged on other Committee business. It was perfectly true that there were several Gentlemen serving upon one, two, or more Committees; but generally those selections were made either because the Member had some special cognizance of the subject, or because it was necessary to get a Gentleman to serve whose attendance could be relied upon. His hon. and gallant Friend was one of those who were always ready to give the necessary attendance; and he believed his hon. and gallant Friend would not have undertaken to serve upon these Committees unless he felt he was competent to give his attention and attendance. Of course, no Gentleman was asked to serve, except with his consent; and from the fact that he had consented, it might be inferred that, if placed upon the Committee, he would do his duty as one of its Members. He trusted that the hon. Member opposite (Mr. Goldsmid) would not think it necessary to adjourn the nomination of this Committee on Commons.

Question put, and *negatived.*

Original Question put, and *agreed to.*

Remaining Members nominated other Members of the Committee:—Mr. LEVESON GOWER, Sir WALTER BARTTELOT, Mr. FAWCETT, Mr. PELL, and Lord EDMOND FITZMAURICE.

PUBLIC BUSINESS.

NOMINATION OF SELECT COMMITTEE.

Mr. CHANCELLOR of the EXCHEQUER, The Marquess of HARTINGTON, Mr. MOWBRAY and Mr. DODSON nominated Members of the Select Committee.

Motion made, and Question proposed, "That Mr. WHITBREAD be one other Member of the Committee."

MR. E. JENKINS moved that the debate be now adjourned. The Chancellor of the Exchequer had given no information whatever in regard to the way in which this Committee had been organized. It was a Committee of the greatest importance, and one that that House might have a great deal to say upon, and the question ought to be brought forward at a time when the House could discuss it. So far as one could see from such hints as had been given, the questions which had to be settled by this important Committee and the evidence which would be brought before this Committee were, in fact, as well known to the House now as they would be then. The Committee would call before it a few officials who were acquainted with this House who would give no more information than was already contained in the admirable handbooks, compiled by gentlemen for whom that House had the greatest possible respect. The reason for the appointment of this Committee was in regard to the management of Business in consequence of what occurred last year. The House got on very well this year under existing rules, and it was now a question whether there was at that particular moment any necessity for appointing this particular Committee. He would not like at that late hour to enter into the number of objections there were to this Committee, and therefore he moved the adjournment of the debate.

MR. SPEAKER: I must point out to the hon. Member that the House has already agreed to the appointment of the Committee, and the question now is that the hon. Gentleman (Mr. Whitbread) be now appointed.

MR. GOLDSMID did not think the hon. Member need be afraid that this Committee would do very much. There were some names, like that of Mr. Henley, that were long known in that House, which of necessity did not appear in the list, though formerly they had always been included; but nearly all those proposed to be placed on the Committee were, as far as the Business of that House was concerned, of a Conservative character, and would propose very little change, if any at all. He did not think any Gentleman need be anxious as to what would occur. He wanted to point out that the Chancellor of the Exchequer had not answered at all the complaint he had previously made. His complaint was, that willing Members like his hon. Friend were asked to do more than was reasonable, and he thought that the Chancellor of the Exchequer, who represented the Government, ought to give instructions to those acting under him that they should select a small number of younger Members to learn the Business of that House by placing them on Committees. It was not satisfactory to see a Committee nominated as these had been; and if they saw the practice continued, they would be compelled to take active steps to oppose the appointment of Committees so chosen. He thought it was well the Chancellor of the Exchequer should be informed of their intention, in order that he might obviate the necessity of carrying it into effect.

Mr. SPEAKER: Does the hon. Member for Dundee oppose the name of the hon. Gentleman (Mr. Whitbread)?

Mr. E. JENKINS: No, Sir. After what you have said, I do not.

Mr. PARNELL would suggest to the Chancellor of the Exchequer to take action in time, and give such instructions as would meet the threatened obstruction of the hon. Member for Rochester.

Mr. ONSLOW thought it was the duty of any hon. Member if he objected to this Committee, that he should mention the name of the Gentleman to whom he objected. The names of the Gentlemen on the Committee were men of great experience in that House, and, with the addition of one new Member, they had all had experience of that House, and he trusted that when the hon. Member for Meath (Mr. Parnell) met those Gentlemen, he would agree with those who had had wider experience than he had.

Mr. J. W. BARCLAY sympathized very much with the views of the hon. Member for Rochester (Mr. Goldsmid), and had himself intended to call attention to the constitution of this Committee, particularly in relation to Scotch Members. He observed only one Member from Scotland on the Committee, and that Gentleman was already upon three other Committees. The hon. Member for Peebles had also been placed that afternoon upon a Committee of considerable importance, and he would, if appointed now, thus be on five Committees. He had looked over the list of Committees for this Session, and he found there were 290 Members on the Committees, of whom 16 were Scotch nominations; but as one Gentleman was on four Committees, only the other 12 had any part in this division of Public Business. For his own part, he had no desire to be on the Committees; but he believed that it was a reflection on Scotch Members that more of them were not selected, and when these names came up he intended to take the sense of the House on the question, and he trusted when this was done there would be more consideration shown to the interests of Scotland.

Mr. O'DONNELL was sure the hon. Member for Meath (Mr. Parnell) would be most desirous not only to reform himself, but to introduce many reforms into the Business of that House, and judging from the disposition he had already evinced, he was quite sure that it would be a labour of love to him to carry out the recommendation of the hon. Member opposite (Mr. Onslow). What he would particularly recommend to the House was that young Members should have an opportunity of mixing with their elders in Committees of this description. He would further recommend that these much-respected pluralists should be asked to choose which Committee they would serve on. It could be no reflection on any Gentleman who was elected to serve on five Committees meeting at 1 o'clock to ask him which Committee he would sit on, and on what sort of business he wished to expend his talents. He candidly owned there was a great deal in the remark that on certain Committees of very great importance there should be a decided preponderance of senior Members. He might go so far as to say that these Committees should be composed of senior Members who had been three or four or five years in Parliament; but, even granting that, it did not bring the Government out of their difficulties. They did not put on all senior Members; they only put on a selected few. There was no disposition to make anything like factious opposition on this question, but still it was quite clear that an hon. Member could not attend four or five important Committees at the same time, and that was really all they had to suggest.

Mr. MONK was glad the attention of the Chancellor of the Exchequer had been called to the constitution of this Committee. He was perfectly aware of the difficulty there was in forming this Committee, and he quite agreed that the most experienced Members should serve upon it. The real objection was that the same Members who were serving on other Committees had been nominated to serve on this. The hon. and gallant Member for West Sussex (Sir Walter Barttelot) was nominated for this Committee, just after he had been selected to serve on the Commons Committee. It was very possible the Commons Committee might sit on the same day. He thought his hon. and gallant Friend should be asked to choose which Committee he would sit on. On Friday last the hon. Member for Chippenham (Mr. Goldney) was placed on the Metropolis Management and Building Acts Committee, and now it was proposed to nominate him on the Public Business Committee. It stood to reason that he could not serve efficiently on both Committees.

DR. WARD said, he was sitting two Sessions on a Committee upstairs. One Member of that Committee was occupied with two other Committees. He would say—"There is a paragraph in the Report on Tramways; I must go." Then—"There is the Telegraph Committee;" and so on. It was quite impossible that the hon. Member could attend to the business of all these Committees.

MR. GRAY said, the system of making the selections from all Committees from a limited number of Members, was made, it appeared to him, with a distinct purpose. The Government knew well what an effect it had in facilitating Business, for it confined the knowledge of the details on which future legislation was founded to those few Members. It might be noticed that nine-tenths of the Amendments to Bills were put on by Members who had been Members of previous Select Committees on the subjects with which the Bills dealt. Thus, the system of exclusion really facilitated Business in the Government sense—which meant the getting of Bills through as fast as possible—by keeping ordinary Members in ignorance.

DR. CAMERON said, that what had been pointed out in regard to the representation of Scotland on these Committees had a great deal of force in it. The hon. and gallant Baronet (Sir Walter Barttelot), whom it was proposed to place on this Committee, was a Member of four or five other Committees. There were Scotch Members of great experience, who were available for this Committee. There was the right hon. Member for Montrose (Mr. Baxter), and there was also his hon. Colleague in the representation of Glasgow (Mr. Anderson). They did not like to divide against the hon. Baronet. At the same time, it was right that Scotland should be represented. He should move the adjournment of the debate.

MR. BIGGAR seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Dr. Cameron.*)

THE CHANCELLOR OF THE EXCHEQUER did not think they would gain much by adjourning the debate. There was a certain amount of force in the observations made, and he quite agreed that in training the Committees it was desirable to bring in young Members who had not yet had an opportunity of seeing Public Business. This was rather an exceptional Committee. It was a Committee which he hoped might not require any great length of sitting, because it would be in the recollection of the House that certain proposals were made by the Government, and probably the discussion that would be required would not be very long. Undoubtedly, such a Committee would work all the better for being composed in the main of Gentlemen who had great experience in the working of the House. There was, as it happened, several Gentlemen on it who were serving on other Committees. The fact was, those Gentlemen had been brought to serve on this Committee because of their experience in that House. Like the Committee on Public Accounts, this Committee was generally composed of Gentlemen who had been some time in the House, and understood the course of Business, and who discharged functions of that kind every day in the week. The hon. and gallant Member for West Sussex (Sir Walter Barttelot) was a Member of that Committee, as also of the Commons Committee and others. These Gentlemen were selected for their special knowledge. However, he was quite content to add that it was desirable to pay as much attention as possible to the introduction of younger Members on Committees, and, so far as he could, he would endeavour to do so; but he hoped that with regard to this Committee, which was decided upon quite at the beginning of the Session, and had only stood over because there had been no time to attend to it, he felt convinced the sooner it got to work the more convenient it would be to those Gentlemen who had other duties to take up later in the Session.

Question put.

The House *divided*:—Ayes 17; Noes 72: Majority 55.—(Div. List, No. 309.)

Original Question put, and *agreed to.*

Mr. J. W. BARCLAY said, that, in the early part of that day, he had taken some objection to the name of the hon. Baronet (Sir Graham Montgomery) appearing on the Tramways Committee. Apart altogether from the question of the fitness of the hon. Baronet, which he did not in the least dispute, he thought it desirable that some other Scotch Members should be appointed. The hon. Baronet had previously been appointed on three Committees, and this made four. The right hon. Gentleman the Chancellor of the Exchequer had said that Members of experience should be appointed on these Committees. There was the right hon. Member for Montrose (Mr. Baxter), formerly Secretary to the Treasury, who was well fitted, one might suppose, to appear on a Committee of Accounts; but there was not a single Scotch Member on that Committee, although the great proportion of them were not indifferent to accounts. He should prefer moving the adjournment of the debate, in order to give the Government an opportunity of re-considering this matter. It was the opinion of Members in that part of the House that the selection should be more general.

Mr. E. JENKINS seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. J. W. Barclay.*)

Sir WILLIAM HART DYKE trusted the House would proceed with the nomination of the Committee that night. Much had been said as to the formation of the Committees, and reference also had been made to those who were responsible for making them. The hon. Member for Rochester (Mr. Goldsmid) was hardly aware of the difficulties hon. Members like himself were placed in in the formation of these Committees. As far as he was concerned, he never had any other object in view than that the outcome of the deliberations of the Committees should be to bring credit on that House. There had been some error in placing the hon. and gallant Member for West Sussex (Sir Walter Barttelot) on so many Committees, and he would endeavour, in future, to prevent the repetition of things of that kind. With respect to this particular Committee, the defect might be obviated in this way. It was urged that Scotland was not sufficiently represented. It seemed to him that so long a period had elapsed since Notice of this Committee was given that it was hardly dignified to defer the appointment; but, if he might be allowed to consult with his right hon. Friend opposite, and ask him to select another Member of this Committee, and might ask, also, an hon. Gentleman on this side of the House to serve, it seemed to him they would come to a satisfactory arrangement.

Mr. BIGGAR said, the proposition of the hon. Baronet did not, in his opinion, meet the requirements of the case. The proposition to select a new Member from each side of the House might be a reasonable one, if the Irish were fully represented. Of course, they were exceedingly well represented by the hon. Member for Meath (Mr. Parnell); but, if they were going to have two new Members, he should propose that the hon. and gallant Member for Galway (Major Nolan) should be added to the Committee.

Motion, "That the Debate be now adjourned," by leave, *withdrawn.*

Mr. Newdegate, Mr. Knatchbull-Hugessen, Mr. Beresford Hope, Mr. Rathbone, Mr. Plunket, Sir Charles Dilke, Sir Graham Montgomery, Mr. Parnell, and Mr. Goldney nominated other Members of the Committee:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Tuesday, 26*th February*, 1878.

MINUTES.]—PUBLIC BILL—*Committee*—Public Parks (Scotland) (18).

PUBLIC PARKS (SCOTLAND) BILL.

(*The Lord Kinnaird.*)

(NO. 18.) COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 4 *agreed to*.

Clause 5 (Power to purchase lands).

Lord KINNAIRD objected to the Proviso at the end of the clause requiring that the surplus land should, before being offered for public sale or let for building purposes, be offered to the person entitled to the lands from which it was originally severed. He thought this Proviso unduly hampered the action of local authorities, and moved the omission of the words "surplus land for building purposes," prohibiting them from letting until they should have first been offered to the person entitled to pre-emption.

THE DUKE OF RICHMOND AND GORDON said, he failed to appreciate the reasons of the noble Lord for desiring this alteration in the clause. The noble Lord himself moved the second reading of the Bill, and, in doing so, stated that it had passed through the other House of Parliament with the assent of the Secretary of State for the Home Department—such assent being given with the condition that a Proviso precisely the same as that now objected to should be inserted; and this clause, as the Bill was introduced into the other House, was without this Proviso which the noble Lord now proposed to omit. The Proviso was drawn either at the instance of the Home Secretary or at the instance of the Lord Advocate, or probably of both. It was adopted in the form in which it now stood, and in that form it was set forth in the Bill when the noble Lord moved the second reading. Therefore, he felt bound to meet the Amendment with the most decided objection, this Proviso being the very condition upon which the Home Secretary assented to the measure. If the noble Lord's proposal were adopted, the clause would stand in a form which would authorize local authorities in Scotland, in towns with which they were concerned, to take a very much larger portion of ground than they required for the Parks and places of public recreation; and, having taken a more extensive area then they required, they then might, in order to recoup themselves, let out the surplus for building purposes. It was to meet cases of that kind that his right hon. Friend the Home Secretary required that this Proviso should be inserted; and, unless he was misinformed, the Proviso as it now stood was placed there by those who had charge of the Bill in the other House. He hoped the noble Lord would not press his Amendment.

Lord KINNAIRD said, his only reason for desiring the omission of the words was to strengthen the purpose of the Bill, and especially of this clause. He had no objection, however, to withdraw his Amendment.

Amendment (by leave of the House) *withdrawn.*

Clause *agreed to.*

Clauses 6 and 7 *agreed to.*

Clause 8 (As to Provisional Orders made by Secretary of State).

LORD KINNAIRD moved the omission of Sub-section 7, which declared that every Act confirming any such Provisional Order should be deemed to be a general Public Act.

THE DUKE OF RICHMOND AND GORDON said, the same provision was included in every Act of the kind, and he thought the words most reasonable and necessary in the present instance.

Amendment (by leave of the House) *withdrawn.*

Clause *agreed to.*

Clause 11 (Acquisition of land).

LORD KINNAIRD moved, after the word "value," to add "without any additional allowance in respect of the compulsory purchase thereof." There was, he said, an ambiguity about the clause as it now stood, which would probably lead to misapprehensions, and possibly admit of exorbitant claims being made, and his object was to guard against this eventuality.

The DUKE OF RICHMOND AND GORDON said, he did not think there was any ambiguity in the clause as it now stood; but if the Amendment found favour with the House—as he was certain it would not—a very serious point would be raised. The provision was practically the same as was found to exist in similar Acts, and if local authorities were to exercise these compulsory powers and take land where they required it in the neighbourhood of towns, they ought to pay for it the highest sum that the owner could obtain, and that they could in fairness be called upon to pay, because they took that which they desired by compulsion. The noble Lord, in moving this Amendment, seemed to have in view the provisions of the Artizans and Labourers Dwellings Act. But taking land by compulsion for the amusement and recreation of persons living in its neighbourhood was very different from taking it by compulsion under the Artizans and Labourers Dwellings Act—for, in the latter case, houses were cleared away because they were fever dens which ought to be got rid of. The one measure applied to a state of things essentially different from that contemplated by the other, and therefore the words proposed to be inserted were not admissible.

LORD KINNAIRD withdrew the Amendment.

Amendment (by leave of the House) *withdrawn.*

Clause *agreed to.*

Remaining clauses *agreed to.*

The Report of the Amendment to be received on *Friday* next.

THE EASTERN QUESTION—RUSSIA AND TURKEY—THE TERMS OF PEACE.

QUESTION. OBSERVATIONS.

EARL DE LA WARR rose, pursuant to Notice, to ask whether Her Majesty's Government can, without inconvenience, give any information with reference to the terms of the Treaty of Peace to be concluded at Adrianople between Russia and Turkey, especially as regards the proposed limits of Bulgaria and the war indemnity claimed by Russia—and said: My Lords, the uncertainty which exists with regard to the proposed terms of the Treaty between Russia and Turkey, the great importance of the issues involved to the interests of this country, and the anxiety—the natural anxiety—of the public mind, will, I hope, justify the course which I have taken in bringing this subject under your Lordships' notice. I have not hesitated to appeal to Her Majesty's Government at this moment, especially after hearing the words of my noble Friend at the head of the Government, recently uttered in your Lordships' House—words, as I understood them, giving assurance that not only would the Imperial and commercial interests of this country be protected in the East, but also that the honour, the influence, and the high position of this country in the Councils of Europe would be upheld. Your Lordships must be aware of the zealous endeavours which have been made by Her Majesty's Government to keep this country out of the desolating war which has been raging, and I believe that these endeavours are fully recognized on both sides of your Lordships' House. I believe I may say that there is a not less general consent that at the present crisis firmness and consistent action are most likely to secure the interests of peace. But, my Lords, there are questions which unhappily cannot always be solved by a peaceful issue. Such questions have lately caused, and still are causing, the greatest perplexities and the greatest anxieties to almost all the Powers of Europe. Two of these Powers have been engaged in deadly warfare, and one lies almost prostrate sueing for terms of peace. It is naturally an anxious question what are to be the terms of that peace; and it is a question we cannot but see, that involves very deeply the interests of this country. Various reports are abroad, and I trust that Her Majesty's Government may find it possible to give some information on this subject to your Lordships and the country which cannot be gathered from public sources. I might mention Bulgaria. Is that newly proposed vassal Province to be so enlarged as practically to annihilate the Turkish Empire in Europe? I believe when the terms of peace were first put into the possession of Her Majesty's Government in June last, it was proposed that the Province of Bulgaria should be limited to the North side of the Balkans; but it was very shortly afterwards to include a district South of the Balkans. It appears now that it is to be extended on the South to Adrianople, or nearly so, and on the Western side to Salonica. It is manifest that this will include the passes of the Balkans, and the important fortresses which have hitherto been regarded as the protection of Turkey. If this is to be one of the terms of the Treaty of Peace, I would ask what is to become of Turkey? Where will Turkey be? It must, to all practical purposes, be assimilated with the great Northern Power, which will then reach from the Arctic Circle, unless it is checked, to the shores of the Mediterranean. There is great reason to apprehend that we are on the eve of witnessing this, unless this country should be awakened to a sense of the danger. Turkey can no longer resist, and must sink under an overwhelming and crushing power, unless support be given to her. The terms of peace must be whatever terms Russia may extort by force. If this were a question which concerned Turkey only, perhaps it might be regarded from another point of view. But I look upon it as a question which most deeply concerns the interests of this country—whether so large a portion of Turkey in Europe is to be placed, as practically it would be placed, in such a position as to fall more or less under the influence and power of Russia. Then, my Lords, as regards the war indemnity. I know it may be said that this is a matter for the country which is backed by a victorious army to decide. So it may be; but if it is to be an indemnity so heavy that it would be almost impossible for Turkey to pay it, the occupation of Turkey by Russian troops till it is paid will probably take place; and that seems to me a question which deeply concerns this and other countries of Europe. Connected with the question of indemnity is that of the Turkish Fleet. Is the Turkish Fleet to form a portion of the indemnity? My noble Friend at the head of the Foreign Affairs stated last night that he was not able to give certain information upon this point. I trust that my noble Friend will be able to inform your Lordships this evening that no portion of the Turkish Fleet will be ceded to Russia. Then I might refer to the question of Asia. There are to be large cessions of territory on that side. It is believed that the principal fortresses and several seaports of Asia are to be given up to Russia. So far, that would appear to place Turkey in Asia very much in the hands of Russia. Whether or not the Treaty has been signed—and I hope that my noble Friend may be able to inform your Lordships that it has—it is, I think—so far, at least, as we are in possession of the facts of the case—pretty clear that, as at present arranged, the object in view is not a partiton of Turkey, but to bring the whole of Turkey under Russian influence and Russian rule. Can this extension of Russian power and Russian influence be viewed without apprehension, both as regards this country and the future peace of Europe? To settle these weighty questions, it is proposed that there should be a Conference; but under what circumstances will that Conference be held? I would ask your Lordships to consider whether, with a victorious army virtually, if not actually, in possession of the Turkish capital, the chief business of the Conference is not likely to be to endorse the onerous demands of Russia? I have touched very briefly upon a few points bearing upon this important subject; but I trust that Her Majesty's Government may be in a position to give your Lordships such information as to the terms of the Treaty of Peace which has been or is about to be signed between Russia and Turkey, especially as regards the proposed limits of Bulgaria and the war indemnity claimed by Russia, as will enable your Lordships to give immediate consideration to it.

THE EARL OF DERBY: My Lords, I quite sympathize with the anxiety which my noble Friend expresses in respect of the terms of the Treaty which is about to be concluded between Russia and Turkey. I say about to be concluded, because, although we understood from previous statements, that the signatures were to have been affixed yesterday, yet up to the time at which I left the Foreign Office this afternoon no information had reached me to the effect that the signature had actually taken place. I regret, therefore, that I am not able to satisfy my noble Friend's natural and reasonable anxiety for information on this matter—not because of any unwillingness on my part to give it, but because I do not possess it in a correct and authentic form. I have seen two or three versions of what are stated to be the terms of peace; but though, as was to be expected, there is a general agreement between them, they differ in some very important details, and I am not in a position to decide which of the conflicting versions which I have seen is most entitled to the credit of accuracy. I think, however, it may be taken as a matter beyond dispute that it is intended to constitute a very large Province of Bulgaria, extending far to the South of the Balkans, and to within a short distance of the Ægean Sea. Whether Salonica is to be included within the proposed Province, as my noble Friend suggests, is one of those points on which the reports differ. And so, again, with regard to the important question of the war indemnity, the accounts do not agree. I have seen in the newspapers a statement that an enormous—I may say fabulous—sum is intended to be demanded—something between £150,000,000 and £200,000,000 sterling. Well, my Lords, the improbability of such a demand is apparent, because it is perfectly obvious that under no circumstances could such a sum be paid by Turkey. A statement that I have seen speaks of a demand of something like £40,000,000 sterling, which, as I understand, is to be independent of the demand for a cession of territory. That appears a more probable version, but I cannot guarantee the accuracy of that statement. Those, I think, are the points on which my noble Friend asks for information. There cannot be a more important or a fitter subject of discussion in this House and elsewhere than the conditions of peace when we are in a position to discuss them; but I think your Lordships will perceive that it would be wasting your time to discuss those terms of peace when in reality we do not know with any degree of accuracy what they are.

House adjourned at a quarter before Six o'clock, to Thursday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Tuesday, 26th February, 1878.

MINUTES.]—Public Bill—*First Reading*—Bankruptcy Law Amendment* [119].

QUESTIONS.

NAVY—ROMAN CATHOLIC CHAPLAINS.

QUESTION.

Mr. SULLIVAN asked the First Lord of the Admiralty, If he will take into his consideration some arrangement whereby wherever a flagship and fleet are on service as at present in the sea of Marmora, at least one Catholic chaplain for the Catholic seamen of the several ships may be secured on board some one of the vessels comprising such fleet?

Mr. W. H. SMITH, in reply, said, that it was the desire of the Admiralty to provide in every practical way for the spiritual wants of Roman Catholic officers and seamen. It had not hitherto been found possible to appoint more than one chaplain for each ship, the space at the disposal of the Admiralty being extremely limited. He could not, therefore, hold out any hope that it would be in their power to appoint an additional Roman Catholic chaplain even to one ship in each fleet; but he could assure the hon. and learned Member that the object he had in view was one he desired to promote in every possible way.

Mr. SULLIVAN gave Notice that it was his intention to raise this question in the several items of the Navy Estimates, and upon the several clauses of the Marine Mutiny Bill that afforded him an opportunity of doing so.

ARMY EQUIPMENT—THE FIRST AND SECOND ARMY CORPS.—QUESTION.

Sir HENRY HAVELOCK asked the Secretary of State for War, Whether, now that a Vote of Six Millions has been granted for increasing the efficiency of the Naval and Military Services, he will take steps to complete the First and Second Army Corps with transport carriages, ambulance and ammunition trains, so as to place some portion of the Army on a footing of readiness for service at short notice? The Question, he added, was not put in view of the position of affairs in the East of Europe, but in reference to a permanent want in the Army.

MR. GATHORNE HARDY: I can inform the hon. and gallant Member that the points to which he refers have not been neglected. Everything is ready for the First Army Corps, and a good deal has been got ready for the Second. I am using every exertion to attain the end which the hon. and gallant Gentleman describes.

THE DETECTIVE POLICE (METROPOLIS) —REPORT OF THE COMMISSION.

QUESTION.

SIR WILLIAM FRASER asked the Secretary of State for the Home Department, Whether his attention has been called to the circumstances of the murder, on the 9th of February, of George James, close to the Grosvenor Road Station, and within a few yards of the Chelsea Suspension Bridge; and, whether he will state if any and, if any, what steps have been taken by the Commissioners of Police to bring the murderer to justice? Also, when the Report of the Commission or Committee, appointed at the close of last Session, to inquire into the conduct of the Detective Police of the Metropolis, will be laid upon the Table of the House?

MR. ASSHETON CROSS, in reply to the first Question, said, his attention had been called to the matter, and he had received the depositions taken before the coroner. It would be unwise to make public the steps that were being taken in the matter. With regard to the second Question, he had received a Report, which, of course called attention to certain points which, in his opinion, deserved to be corrected. Some of these had been corrected already, and the rest were under the consideration of the Secretary of State; but it would be obviously unwise, until certain points had been corrected, that these matters should be published so that advantage could be taken of them.

LAW AND JUSTICE—SURREY ASSIZES.

QUESTION.

SIR TREVOR LAWRENCE asked the Secretary of State for the Home Department, Whether he has any objection to state when the Commission for the Spring Assizes for the county of Surrey will open?

MR. ASSHETON CROSS, in reply, said, it had not yet been fixed. He expected, however, to receive an intimation in the course of a day or two, when he would communicate with the hon. Member.

QUEEN'S COLLEGES AND UNIVERSITY (IRELAND) BILL.—QUESTION.

MR. O'DONNELL asked the Chief Secretary for Ireland, Whether Government will give facilities for the continued discussion of the Queen's Colleges and University (Ireland) Bill, now on the Orders of the Day for Thursday, either on that day or at an early date?

THE CHANCELLOR OF THE EXCHEQUER: I beg to inform the hon. Member that this Question connects itself with the General Business of the House. I am afraid, in the present state of Business, I cannot make any promise with regard to this Bill.

IRELAND — ROYAL COLLEGE OF SCIENCE, DUBLIN.—QUESTION.

MR. O'DONNELL asked the Chief Secretary for Ireland, Whether he has seen an assertion, mentioned in a letter on Irish education in the "Times," of the 22nd instant, that

> "the Dublin College of Science, managed and paid by Government, numbered twenty-four or twenty-five students for an expenditure exceeding £7,000;"

and, whether he can inform the House what amount of truth there is in this statement?

COLONEL STANLEY: In the absence of the Chief Secretary, I may be allowed to answer this Question. I am not aware, as a matter of fact, whether the Chief Secretary has seen the assertion to which the hon. Member alluded. If the hon. Gentleman had addressed the Question to my noble Friend the head of the Education Department, he would have been able to give the information. In his absence, which is on account of illness, I have been asked to answer the Question. The number of students in the Royal College of Science, Dublin, was 66 during the Session of 1876-7. Of these, 21 were associate students going through the full three years' course of the College, and 45 were occasional students, taking one or more branches only of science. For the present Session—1877-8—the number of students entered was 55, of whom 22 were associates and 33 occasional students. The annual Vote taken by the Science and Art Department is close upon £7,000. With house repairs, &c., the cost, no doubt, does exceed £7,000 a-year. I must add that the Science and Art Department never thought the College would be successful as far as the number of students is concerned, and proposed in 1863 to abolish it. It was then called the Museum of Irish Industry. But in 1864 Mr. Gregory's Committee, composed chiefly of Irish Members, reported so strongly in favour of it, that Government felt compelled to maintain it.

THE EASTERN QUESTION—RUSSIA AND TURKEY—THE TERMS OF PEACE.

QUESTION.

Mr. W. E. FORSTER: I should apologise to the House and the Government for the constant repetition of Questions with regard to the affairs in the East, were it not for the very great interest taken by the House in the present position. I beg to ask the Chancellor of the Exchequer, Whether he has obtained any information as to the terms of peace; and, whether the statement in the newspapers is true that in all probability they would be signed to-day?

The CHANCELLOR of the EXCHEQUER: I am sorry to say that I have no official information on the subject. We have received no further communication with regard to the terms of peace; and with regard to the reports that peace would be signed probably to-day, I can only say that we think it very probable that that may have been so, but we have received no information on the subject.

MOTIONS.

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INCOME TAX.—RESOLUTION.

Mr. J. G. HUBBARD rose to call the attention of the House to the Taxation of the Country, and to move—

"That, considering the successive and inevitable re-enactments since 1842 of 'The Property and Income Tax,' it is expedient that, without needless delay, the unequal incidence of the Tax be corrected, and that by the adjustment of its provisions the Income Tax be adapted for permanent use in the levy of Imperial Revenue."

He observed that the £78,000,000 which appeared in the finance accounts as the receipts of revenue, did not represent the amount of taxation actually paid by the people. Of those £78,000,000, only £65,000,000 were raised by taxation. £3,000,000 arose from the services undertaken by the Crown in the Post Office, the Telegraph, and the Packet Services from the Crown rights over the coinage and the issues of paper money; and from the Crown Lands, the balance of £10,000,000 being entries made on both sides as matters of account. The whole of the sum which was obtained from the income tax was £6,000,000; and it was to these £6,000,000 that his observations would be confined. Since its introduction in 1842, the income-tax had been passed twice for three years and once for five years; but it had otherwise been an annual tax. It was a question whether a tax which involved such a large sum should be continued from year to year with its defects, under the plea that it was a temporary tax, when there was no fair presumption that it could possibly be abolished. This tax, though assessed under five Schedules, operated in three main divisions. First, as an annual tax on the products of real property; secondly, as a tax on the interest of money derived from various sources; and lastly, as a tax on the earnings from industrial occupations; and in each of these divisions the tax had erred against the first principles of sound finance, for it charged the outgoings included in rents, it charged capital included in terminable annuities, and it charged industrial earnings without allowance for the portion saved. Under these circumstances, the question had arisen—Was it not possible to dispense altogether with a tax which had become obnoxious on account of its inequality and injustice? That question must be answered in the negative, for in the absence of an income tax many persons would wholly escape taxation. And so, again, if Schedules D and E were exempted, then the tax would belie its name and would cease to have the character of a tax levied on the income of every person in the country. By his Amendment the hon. Member for Stoke (Dr. Kenealy) proposed to exempt all persons from liability to the tax who were not owners of estates in fee simple, or of leasehold, or persons of capital funded in public or private securities; but if that proposition were adopted, then many persons enjoying large incomes would escape the incidence of the tax altogether. It was quite possible for a merchant to have a large capital in a constant course of investment realization and re-investment. His property might be travelling all over the world, and he might carry on his large enterprizes and accumulate a fortune, without ever having to submit to a tax upon it. Further, he might even evade the succession charges and legacy duties by distributing his wealth among his children before his death. It was plain, therefore, that the income tax alone could reach a certain kind of property enjoyed by persons who, but for that, would never be taxed at all. Again, a reason for an income tax might be found in its being a tax upon absentees. Absentees might spend large sums derived from their estates in England, Ireland, or Scotland, and might be untouched by any taxation except through the income tax. For both these reasons, it was essential that the income tax should be maintained with a view to the general equity of taxation. Moreover, the income tax was a legitimate medium through which the prosperity arising from the improved morality of the people would contribute to the support of the State when they exercised that self-control which eventually, he hoped, would diminish the receipts on the spirit and malt duties. Well, if the tax were to be amended, how was it to be done? The process was exceedingly simple. At present the tax was on gross receipts; all that it was necessary to do was to tax net receipts—to tax not the nominal income, but the portion available for expenditure. In regard to real property, that amount should be taxed which actually went to the owner; and in the case of industrial earnings, a deduction ought to be made which would put professional and trading incomes upon an equality with the products of real property. In the science of finance this was a perfectly simple process. It was possible to calculate to a pound what was the worth of a man's earnings year by year as compared with receipts from money in the funds or from mortgages on land. They had a precedent for the principle he advocated in the action of the Legislature, when in 1853 it exempted savings on certain conditions from taxation. The common measure of value for the purpose of taxation, when ascertained in the way he had suggested, had been ingeniously described by Mr. P. Hallett, an able Professor of political economy, as "interest value." It had been said that it would be impracticable to adjust the income tax in the way he suggested, and that classification would be impossible, and that relief, by average deductions, gave too much to one and too little to another. In reply, he might remark that classification and relief upon a scale of averages was a principle already embodied in the Valuation of Property Bill. That Bill provided for the levy of local rates upon the very principle he wished to apply to the Imperial taxation of this country. Income tax, as now charged, fell alike on idle incomes—by which he meant incomes arising from no effort on the part of the owner—and industrial incomes, or incomes which were altogether dependent on the owner's exertions; it charged alike rents subject to 5 per cent outgoings, and rents subject to 35 per cent. The Chancellor of the Exchequer last year made many alterations; but did he at all mitigate the evils complained of? Not at all; but quite the contrary. Under Schedule D, there were 603,000 persons charged to income tax, of whom 365,000 received an abatement of £120; so that there remained only 237,000, or less than half, who were assessed to the full amount of their incomes. He was not surprised that the grievance, instead of being alleviated, was exaggerated by the concession made in the case of the small incomes. A retired tradesman with £360 a-year might receive an abatement of one-sixth on the whole of his income on account of life insurance, and an abatement of £120 because his income was under £400. That man received, therefore, an abatement of £180 in all—in other words, he was taxed only on half his actual income. Another man who, by his own exertions, was making £420 a-year in a trade or profession, was taxed on £420 to the full amount of his income. These two men could not be said to be dealt with on any principle of equality or justice. The matter of life insurance was comparatively small, but yet 20,000 persons received an abatement for it under Schedule D. Altogether, less than one-half of those who were assessed under Schedule D had to pay in full, but in their case the grievance led to a great deal of dishonesty. A sense of injustice was created, and men understated their incomes to escape the tax, their argument being—"The Government cheats us, and we will cheat the Government." He was sorry to say that the Government did cheat the the taxpayer, and on former occasions had cheated them deliberately. He did not, of course, mean that the Chancellor of the Exchequer or the eminent officials connected with the Inland Revenue cheated; but he meant that the dishonesty of the law so pervaded the administration of the income tax, that it extorted from the taxpayer that to which the State had no title. He had heard very recently that, independently of large sums recovered from persons who had been surcharged, arrears running over a series of years, and amounting, in some cases, to £6,000, £10,000, and in one instance to even £18,000, had been recovered and were actually paid as hush-money by persons who had defrauded the Government, and a considerable portion of the money went to the vigilant officers who had detected the defaulters. He did protest against a system being carried on which was so demoralizing in its effect. If this tax worked ill against traders under Schedue D, it worked still worse under Schedule A, as against the landowner whose estate was heavily encumbered. For instance, a man having nominally £2,000 a-year, but receiving only £1,800, might have his estate encumbered to the extent of £1,600, he would be taxed on £2,000; and, having recouped himself to the extent of £1,600 as against the mortgagee, would still pay on £400 a-year, whereas he had actually only £200. It could not be disputed that there was a grievance, and a remedy ought not to be denied in the simple process of charging not gross, but net rent. The proposition which he brought before the House had been carefully framed, and would in no degree provoke the reproach of being an interference with the financial proceedings of the year, or being an abstract proposition. It was a proposition bearing upon a most practical subject, and one which involved not only the welfare, but the honour and the character of this country. He asked the House to support the Motion in order that by the expression of their opinion the Government might find reason for again considering the condition and constitution of the tax. He should be quite satisfied if the Chancellor of the Exchequer referred the subject to the able Chiefs of the Inland Revenue and Local Government Departments, who might report upon a scheme which would place this tax on a scientific and a just basis, and thus tend to put an end to the discontent and dishonesty which had hitherto so largely and discreditable prevailed. The right hon. Gentleman concluded by moving his Resolution.

Motion made and Question proposed,

"That, considering the successive and inevitable re-enactments since 1842 of 'The Property and Income Tax,' it is expedient that, without needless delay, the unequal incidence of the Tax be corrected, and that by the adjustment of its provisions the Income Tax be adapted for permanent use in the levy of Imperial Revenue."—(*Mr. Hubbard.*)

Dr. KENEALY, in rising to move the following Amendment:—

"That no adjustment of the Property and Income Tax will be satisfactory which does not relieve all persons from liability to the Tax who are not owners of estates in fee simple, or of leasehold, or persons of capital funded in public or private securities,"

said, that it was from no feeling of conceit that he could cope with the right hon. Gentleman the Member for the City of London (Mr. J. G. Hubbard) on matters of taxation and finance, on which he was so great an authority, that he moved the Amendment; but because he had heard of no other hon. Gentleman on the Liberal benches who was prepared to combat the notion, now for the first time broached, namely—that an Income Tax was "inevitable," and must be "permanent," and he feared that this was only preliminary to a Ministerial announcement of the same kind. This was a proposition which he could not allow to pass in silence, and if no other hon.

Member would combat it, he was resolved to do so. The present was a period especially inopportune to proclaim such an idea. Population and poverty were alike increasing. It became every day more difficult to get bread. Our imports increased annually in an immense quantity; our exports were rapidly on the decline. There was no prospect, as far as he could perceive, of a revival of trade, though many sanguine persons thought they could see it. In the meanwhile, the wealth of private persons was great. It was in the hands of a few; money was not diffused among the general masses of the people, as it should be in a well-regulated State. Wages were almost at starvation point; and, what was worse, they were being lowered every day, notwithstanding the enormous fortunes and profits that were realized by capitalists—the employers of labour. Land and money were likewise increasing in value, and the workers who toiled with brain or hand found it difficult to pay their way. Under these circumstances, he contemplated with dismay the very idea of this tax being made permanent. It was a tax of a most abominable and inquisitorial kind; one which he regarded with horror. The right hon. Gentleman who moved the Resolution had himself almost confessed this; and yet, strange to say, while he had so condemned it, he wanted to make it permanent. Now, the income tax was a war tax, and could only be justified by a state of war. Every politician hitherto had so viewed it, and its imposition was defended only on the principle that when we were fighting for national honour or existence, we were all of us called upon to make every sacrifice for the public weal. We had now been saddled with it since 1842, yet from that period until now we had had no long-continued wars which could justify its retention. The Crimean War was carried on by Loans, and by an addition to the National Debt; the same might be said of the Abyssinian, and the equally foolish Ashantee Expeditions; and it was not even pretended that the income tax had been kept on because of these. Thus, though a war tax, it had been resorted to as a peace tax, which no statesman had ever said it was. We had all looked forward with hope to the period when it would cease, as had been so often promised; but now the right hon. Gentleman stood up and dashed the cup from our lips. The working classes of this country—by which he meant the bulk of the middle class, professional men, shopkeepers, clerks, small traders, and artizans of a superior kind—had been long ground down by rates and taxes which were almost unendurable, and which had only been tolerable at all by the hope of our finally getting rid of this most odious impost. But there seemed now the prospect of its being saddled upon us for ever. Many persons had defended the tax by asserting that it fell only upon the middle class, who, it was pretended, were well able to bear it. But this was not so. It pressed upon the poorer class, who were obliged to purchase in every shop or store, articles of prime necessity—articles in daily use—and who were charged higher prices for those articles because the shopkeeper was obliged to repay himself for his income tax. Thus, this tax was really paid by the millions, who were already as poor as they well could be; and in their interest he spoke. The balance of trade was fearfully against us; and he confessed that he looked forward to a time, not very remote, when we should be unable to meet the public liabilities of the Empire. The real cure for our evils, and the real remedy, was a diminution of expenditure. In the very height of our war with Napoleon, when we were subsidizing soldiers wherever we could hire them, when we had large military forces of our own, and a powerful Navy, the whole of our charge was only £67,000,000 in the most lavish year—and this for all purposes; while, at the present time, after long years of peace and pretended retrenchment, we were expending nearly £80,000,000 a-year. Indeed, he doubted not, that it would soon advance beyond even this. Could anybody say that we were now as powerful or as much considered as we were then? If England was able to carry on that terrible and devastating war at the greatest cost of £67,000,000, why should our expenditure be so lavish in times of peace? The fact was, that the £6,000,000 which we got so easily by the income tax, encouraged us to waste and extravagance; and he was anxious to cut off this source of profusion. Where money came in easily it flowed forth freely; and he would gladly deprive the Chancellor of the Exchequer of any temptation to be wasteful. The first proposition of his Amendment referred to land; and he contended that, according to our old Constitutional system, the land and the land alone, should be liable for this war tax. In ancient times, or in the period of conquest, the land was given by the monarch, or the conqueror, to his generals, courtiers, and officers, on condition that they would, out of its produce, support him in his state, or supply him with men or munition of war if war arose. This was the express condition on which land—the national property—was bestowed. And this continued for a considerable period, until it was finally commuted for a land tax of 4*s.* in the pound, to which all landowners were subject. In those days no one ever thought of taxing labour, either mental or physical, for the support of the Throne or the maintenance of war. The whole burden fell upon the owners of land, and so it ought to be now. The land of England, if again brought under its natural and Constitutional tax, was quite sufficient to pay the whole National Expenditure. Labour, as in the olden time, had quite enough to do, and ought to go absolutely untaxed. Were our Financial Reformers equal to the occasion? Were they prepared to support him in thus seeking to bring back the old law and custom of England? The only real property in the world was the land. Other sources of income came and went; but the land remained for ever. Hence it was called real property. From the earliest period of our history down to the time of Charles II. the land bore all this burden of taxation; the great bulk of the people might be said to have been exempt from all taxation. They paid little or nothing. But it was in the reign of that unprincipled Monarch, and by an equally unprincipled Parliament, that the owners of great estates first began to shift from their own shoulders on to the backs of the people the fiscal burdens imposed upon them by law, by right, by justice, and by antiquity. It was the same Parliament that first imposed a corn law, and thus doubly scourged the people—first, by taxing bread; secondly, by making them pay taxes which theretofore were unknown, and would not be endured. The price of provisions of all kinds rose at once, but the great landowners did not heed this. He wished, therefore, that the income tax should be so re-adjusted, that the owners of great estates should be again compelled to bear their proper burden, and that Schedule D should absolutely disappear from the Statute Book. A tax on land at 4*s.* in the pound would produce £50,000,000 or £60,000,000 a-year, if so much was really needed; but we ought not to expend more than £50,000,000 a-year for all Imperial purposes. Turning from the great lords of lands, he came to those whose capital was realized or funded; and he said that those persons ought to be joined with the large proprietors in paying off the national burdens caused by wars which had been undertaken for their benefit. Wars benefited only a few; they were seldom of advantage to the great body of the people. Large shareholders in banks, in railways, in public companies, were those, therefore, whom he proposed to bring under this Amendment, if he could abolish Schedule D—the portion of the Act which pressed most and so hardly upon those whose interests he espoused. The right hon. Gentleman (Mr. J. G. Hubbard) found fault with his Amendment, because he said it would exempt great merchants. He should not be sorry to exempt great merchants, and, indeed, all persons who had precarious incomes. A great merchant might be worth £1,000,000 to-day, and be a pauper this day twelvemonth. How unjust, therefore, it was to tax him upon that £1,000,000 which might so suddenly vanish! But the merchant was not exempt. He contributed to the State in a hundred ways—by his ships, his machines, his engines, his luxury. And if he was prepared to make this concession in the case of such a man, the more willingly he would claim it for the vast proportion of the middle and the poorer classes who came under Schedule D. The tax operated cruelly upon those persons; it prevented many from giving that education to their children which the welfare of the nation demanded. They had the will to do so, but the income tax deprived them of the means. Another ground on which he claimed support for his Amendment was that it was conceded by the right hon. Gentleman—"that the Government cheated the taxpayer, and was cheated by the taxpayer in return." The right hon. Gentleman, to make his assertion the stronger, used the word "deliberately" in reference to this mutual swindling. And it came to this—that for a miserable sum of £6,000,000 a-year this Empire, which professed to be at the head of civilization, intelligence, and Christianity, was a guilty party to an annual fraud upon the taxpayer. This was a terrible state of things. Could anyone feel surprised that the Government which thus swindled got swindled in return? Of course, when he used the word "Government," he did not mean the Chancellor of the Exchequer, or persons like him—he alluded to those who collected this horrible tax. Nobody who had any knowledge of things as they were, doubted that only a very few persons returned a true account of their income—in the first place, they were incapacitated from doing so, for an income tax paper was as difficult to understand as a railway guide; and, secondly, they thought that the tax was inquisitorial and unjust, and that the money was ill-spent; these things they supposed justified them in concealing their true income. He himself had experienced the greatest difficulty in making out an income tax return. He did not profess to be an arithmetician, but he supposed he had some knowledge, and yet he had puzzled himself for hours over this incomprehensible document. Everyone knew his gross income, but hardly anybody understood his net profits, or what deduction he was entitled to make under the law. Hence, he answered haphazard, and as often cheated himself as he cheated the Government. The income tax paper was the one, of all others, that was calculated to lead people astray; hence they dealt with it in the way they did; hence their laxity in making their returns. The right hon. Gentleman had mentioned an instance where £18,000 had been accepted by the Government as "hush money" from a person who had deliberately made false returns. This was one of those facts which were known not only to the right hon. Gentleman, but to bankers, merchants, and the like. What an inducement to fraud was thus held out when these capitalists found that the Government, instead of prosecuting, exposing, and punishing the offenders, actually played the part of Jonathan Wild, and took "hush money" as a bribe to conceal the fraud! He feared that if the income tax was made perpetual, the character of the English people for commercial morality and high truthfulness would deteriorate, as it was said that of the House of Commons itself had deteriorated. Formerly, an Englishman's word all over the world was regarded as his bond. Could it be said so now? He feared that the time would come when the Englishman would be looked upon as being as great a rogue as the repudiating New Yorker, or the drab-coloured American. He claimed support for his Amendment from the Liberal Party on the ground that they were the professed champions of retrenchment and economy. They were especially bound to be active upon this question, for it was owing to the wasteful expenditure under the Liberal Administration of Lord Melbourne, that Sir Robert Peel found himself with a deficit of £6,000,000; hence he resorted to the income tax as a necessity, though only a temporary one, as he promised. If the Liberals were sincere, they would help him, and if they supported his Amendment, as he thought they should, he would take a division upon it. The old rotten-borough Parliament had been charged by them, in the days before Reform, when they were working for place, and power, and pay, with being the source of public extravagance. But the Duke of Wellington's expenditure in 1830, was only £52,000,000, when we were the foremost people in the world; and the Liberals had raised it since to £76,000,000, when we were anything but foremost. He therefore demanded their support, as some atonement for their conduct.

[The Amendment not being seconded, was not put.]

SIR WALTER B. BARTTELOT said, he cordially agreed with much that had been said by his right hon. Friend who had introduced the Motion (Mr. Hubbard); but, at the same time, he was of opinion that the present was scarcely an opportune moment — when men's minds were wholly occupied with those great events taking place in the East—for such a Motion as that which his right hon. Friend had submitted to the House. No man in the House had taken so much trouble to make himself acquainted with this question of taxation, and he thought the House was indebted to him for the clear and lucid way in which he had placed the question before it. He hoped, however, that his right hon. Friend would not divide the House upon the Motion, and that he would be content with the discussion which would take place, and with the attention which the Chancellor of the Exchequer would be sure to give it, especially with reference to the new Bills being brought forward by the President of the Local Government Board. He (Sir Walter B. Barttelot) ventured to think that the whole question of taxation for local and Imperial purposes was one deserving of the serious consideration of the Chancellor of the Exchequer. No doubt it would be said that, looking at existing circumstances, this was not a time to interfere with the taxation; but he thought there were reasons why something in the direction suggested should be done. Anyone looking at income derived from funds and income derived from landed property, would at once see the great inequality which existed, and at once admit that something should be done. The great distinction between income derived from capital in the funds and income from land was, that while the former was handed over intact after payment of the income tax, to keep landed property in a condition to realize what it was worth, a large sum had to be annually laid out upon it—10 or 20 per cent—in buildings, repairs, and improvements. When, therefore, they come to deal with the Valuation Bill and the other Bills which would follow it, he hoped the Chancellor of the Exchequer would see his way towards doing something, so that for Imperial as well as local purposes those deductions which were absolutely necessary should be allowed. The hon. Member who spoke last (Dr. Kenealy) could hardly have thought he was addressing the English House of Commons. Did he suppose that in the 19th century he could again tax land at 3*s.* or 4*s.* in the pound, and exempt all those persons whom he (Dr. Kenealy) for one was so anxious to entrust with the privilege of choosing Members of Parliament? Were they—the landowners—to pay all the taxation of the country, and leave the political power in the hands of a class who would contribute nothing at all to it? For his own part, he thought it was a question deserving of the serious consideration of the House, whether all those who were entitled to vote for Members of Parliament should not contribute in some way or another to the direct taxation of the country; and, if the suffrage were extended any further, direct taxes ought also to be paid; but, at any rate, personal payment of rates should be compulsory on those on whom it was conferred. The present anomalies in the matter of taxation had been carried a great deal too far, especially in the exemptions from the income tax. If there were to be an income tax, it ought to be levied upon everyone except those from whom it would not be worth collecting, for exemptions made the tax odious; and, in the event of any question arising about involving the country in war, the people who might be most clamorous for it would be the people who would not contribute a single farthing to carrying it on.

Mr. DODSON said, the hon. and gallant Gentleman (Sir Walter B. Barttelot) appeared to assume that the manner of levying Imperial taxes ought to be the same as that of levying local rates. He would, however, point out that, in the case of local rates, the House was dealing with real property only, in reference to which there could be a fair approximation as to the deductions which ought to be granted, made by persons acquainted with the circumstances; whereas, in the case of the income tax, it became necessary to deal with four or five times that amount of property, in connection with which it was much more difficult to ascertain the particulars. If they taxed land upon the net instead of upon the gross, they must be prepared to deal in the same way with income arising from other realized property, and that, he thought, would be found a very difficult task. He felt some diffidence in expressing his disagreement with the right hon. Gentleman the Member for the City of London, who had brought forward the Motion—the more so when he knew that the views which the right hon. Gentleman held had been held by distinguished financiers and economists; by Mr. James Wilson and Mr. John Stuart Mill—but he was not prepared to give his support to so general a Resolution as his right hon. Friend had submitted to the notice of the House. He was prepared to admit that the continuance of the income tax, like that of any other tax, must depend upon circumstances; that its duration must be held to be indeterminate; and that, as a branch of taxation, it was the duty of the House to render its incidence as fair as possible. He did not, however, quite go along with his right hon. Friend in some of the arguments which he had used. He presumed it was not proposed to give deductions in the case of land and houses and to pass by property like mines. Nor could his right hon. Friend intend, for instance, to overlook terminable annuities. In fact, everyone would make out a claim to deductions except the fundholder. Did that House think it was desirable to place fundholders in the exceptional position of being, however much they might disclaim it, more highly taxed than the man who derived his income from any other source? Then there was another question which would inevitably arise. They would undoubtedly have an appeal *ad misericordiam* from the great majority of the fundholders. They would say—"We are among the poorest and most helpless of the community. We are the widows and orphans and spinsters. We have the bare pittance on which we live, and you are going to give a reduction to the landowner and the owner of house property, to the banker and the professional man with his strong brains, and to the artizan with his strong arms, to all who can lay up savings or ensure their lives." Then, as to the second grievance, he did not understand when his right hon. Friend spoke of industrial income, that he made any distinction between the earnings derived solely from brain or muscle and the commercial income which was derived partly from capital and partly from personal exertion. Without making such a distinction, his proposal if carried into effect would give rise to great difficulty. He did not get rid of fraud because he maintained self-assessment. Again, in the proposal which his right hon. Friend made, did he mean to deal with individual cases. If he did, there would have to be an amount of investigation into private affairs, which would make the scheme perfectly unworkable and intolerable. But he did not. He proposed to deal with large classes by averages. But they could not do justice by averages, because an average might be true of a class and false of every individual in it. It appeared to him that the proposal of his right hon. Friend was either too little or too much. It was too little, if they were to proceed on the assumption that the income tax was to be made a complete system of taxation, just and fair in itself. It would be impossible to do that without dealing with the cases of individuals. If they were to proceed by a system of averages, it would be necessary to have a large number of classes, and a great number of distinctions and subdivisions. It would be necessary to have a scheme worked out by official persons, which could be recommended as one calculated to work properly and fairly with regard to different classes of the community. The proposal of the right hon. Gentleman was too much in this sense—that if such a Resolution were to be adopted, expectations would be raised which must result in disappointment, and would produce more dissatisfaction than it would allay, placing the tax on a less firm footing than that on which it stood at present. They now taxed income wherever they found it, without investigating its source or tracing its application. The only case, indeed, where they traced its application was in the matter of premiums for life assurances. In this case they allowed deductions. Perhaps it was a dangerous or an invidious thing to say, but he was not sure that that was a wise concession to make. But it was a concession very different from any of those which his right hon. Friend suggested they should make. In the case of premiums for life assurances no assumption was made of what a class did save or ought to save, but an allowance was given in respect of an ascertained payment by the individual. He did not want to pronounce conclusively that it was impossible to place the income tax on a fairer footing than that which it now occupied; but he thought it would be very imprudent for the House to commit itself to any general Resolution that it was prepared to do so, or even to attempt to do so, without having a definite scheme laid before it, and being able to see how such a scheme could be carried out, and what was likely to be its effect. Holding these views, he could not support the Resolution.

MR. CHADWICK wished to commend the moderation and perspicuity with which the right hon. Gentleman the Member for the City of London (Mr.

Hubbard) had brought forward his Motion, and he trusted that it would be accepted by the right hon. Gentleman the Chancellor of the Exchequer, seeing that much had occurred recently to justify an examination into irregularities which everyone acknowledged. In the case of the Income Tax Office, for instance, he could not concur in the opinion that it was a model of efficiency; but, on the contrary, he wished to see it completely reformed. He would state a single case in point. For the last three years he had been appealing to the Special Commissioners of Income Tax, who were, indeed, men of the highest respectability, though, considering the smallness of their salaries and the magnitude of the sums with which they had to deal, the Chancellor of the Exchequer might find it convenient to have officials of a higher class. He said nothing individually against the Commissioners, who were good and faithful servants, and did just as they pleased; but they were neither accountants by profession nor lawyers of reputation. The present system had been allowed to go on for 25 years. In the appeal case to which he alluded of "Andrew Knowles & Sons, Limited," and reported in *The Times* of Dec. 6th, 1877, he represented a company which claimed a deduction of £10,000 for what was called depreciation—not depreciation of machinery, but a depreciation on the value of the coal. The company returned a profit of £200,000, on which they were willing to pay. But the Commissioners refused to allow the deduction which was claimed by the company. The appeal made by the company was sustained by the Court of Exchequer, the Judges of which decided unanimously that the Commissioners were wrong—that they had been acting illegally for 25 years, and costs were given against the Crown. Cases had been known in which the Government had enforced payment of the tax omitted in previous years; but he did not know how he was to recover money which had thus been wrongfully obtained from him. No doubt there were scores of such cases in which the Special Commissioners had been wrong, but no appeal had been provided until a few years ago. On the other hand, there were, of course, innumerable cases of fraud in the returns made, and he believed that if the right hon. Gentleman the Chancellor of the Exchequer were to consult the highest authorities, they would tell him that such general dishonesty could only be accounted for by a sense of gross injustice, and he hoped that the Government would attempt some reform. The Government would do a great act of justice to the commercial community if they would show that they were inclined to take some steps to remedy what was really encouraging commercial immorality to a most dangerous extent, by the appointment of a Committee of the House, or a Royal Commission, or a Committee of Experts from the Government Offices. He believed it would be found that nine-tenths of the existing anomalies were capable of being remedied without delay. Certainly, the mode of administration was capable of great improvement, and the Commissioners might be strengthened by the addition of men of higher rank and with better salaries than £600 or £700 a-year. And, as the falsification of returns could be easily prevented by requiring verification, professional accountants might be employed to examine them with a view to the detection of fraud, in the same way as professional surveyors and engineers were by the Board of Trade. Amongst other anomalies was the different assessment of farms in England, Ireland, and Scotland—an anomaly for which he could hardly account. Some common measure of value was necessary, by which people should pay only on the real income, or for that which they enjoyed, leaving the principal intact. Again, there was an evident hardship in making the tradesman and the professional man pay at the same rate as the owner of real estate. Then, with respect to allowance, the system was very anomalous. An allowance was made on the depreciation of a ship for the wear and tear, and for the depreciation on railways, which were assessed only on their dividends. An allowance was also made for depreciation on rolling stock. But no allowance was made for depreciation of machinery used in certain works. These anomalies were capable of rectification. When the right hon. Gentleman the Member for the City of London was unfortunately out of the House he took up the question, and brought in an annual Motion to keep the question alive. It had, therefore, been discussed over and over again, and he could not see any reason why the Government should longer refuse its assent to this Motion.

SIR GEORGE CAMPBELL also expressed a hope that the right hon. Gentleman the Chancellor of the Exchequer would promise some kind of a systematic and exhaustive inquiry into the admitted inequalities and anomalies connected with the income tax. He thought that that impost must be a permanent one, and that therefore an earnest endeavour ought to be made to remove the injustices incident to it. At the same time, some of the blots in that tax, as the right hon. Member for the City of London (Mr. Hubbard) thought them, were in his view among the germs of future improvement in it. It was, in his opinion, absolutely necessary to have a tax of that sort, as a means of equalizing taxation as between the rich and the poor; for, under our fiscal system, if we had no income tax, the poor would pay in much greater proportion to the Exchequer than the rich. Two-thirds of the revenue came from indirect taxation, which was certainly paid much more by the poor than by the rich. The simplification of our tariff had a great effect in that direction, the duties being confined to articles used by the masses, and levied on a uniform scale, and it was the same in the Excise. In the taxation of spirits the poor man paid much more than the rich. The whiskey or gin of the poor man was taxed more heavily than the fine claret of the rich man. The common tea of the poor man was taxed as heavily as the fine tea of the rich, and the tobacco tax was, also, mainly paid by the poor. Therefore it could not be denied that the great mass of our indirect taxation was paid much more by the poor than by the rich. What were we to do to remedy this? There were the post office, house tax, and other taxes paid equally by the poor and by the rich; and as the assessed taxes on horses, and hair powder, and other luxuries, were now abolished, the only small imposts apart from the income tax which fell specially on the rich were the taxes on men servants and carriages. In order, therefore, to secure equality of taxation, it was necessary that the income tax or an impost of a similar character should be maintained; and, that being so, it was necessary to inquire into the details and anomalies which had been discussed. As to the alleged practical difficulty of doing substantial justice in levying the income tax, they should not only consult the Departmental authorities, but insist that men of the very highest capacity, free from the Departmental prejudices, should deal with the subject. The abatements introduced by the right hon. Gentleman the Chancellor of the Exchequer last year in favour of small incomes he looked upon, not as—what some were inclined to call them—confiscations, but as a scientific and equitable adjustment, warranted by the fact that persons having small incomes in the lower middle class paid more in proportion than the rich to our indirect taxation. This was one of the so-called "blots," which, as he had said, were germs of improvement. The principle of a graduated income tax had been admitted to a certain extent, and it was a subject well worthy of investigation whether they should have a uniform system as regarded the upper class, or adopt a graduated system such as had prevailed in America. Then came the question whether they should distinguish between incomes derived from property and precarious incomes. No doubt there was great difficulty in drawing such distinctions, but it was equally felt that there was a great injustice in not making a distinction of that kind; and the consideration of the Departmental difficulties attending that operation ought not to be allowed to stand in the way of an earnest effort to effect it in an equitable manner. If they conceded, as they had done, the justice of excluding a man's savings from taxation by not taxing the sum he devoted to a life annuity, they ought to go further and, in assessing the income tax, carry out that principle to its logical conclusion. The probate and succession duties were the only other taxes on property; they were not heavy, and were paid only once in a generation, while the burthen on small properties was heavier in proportion than on large properties. That, also, should be inquired into. In conclusion, he supported the Motion of the right hon. Gentleman, in the hope that a system might be derived by which all classes would contribute to the public service on an equal ratio in proportion to their means.

MR. WHEELHOUSE said, he was of opinion that the income tax in its original inception was, practically, a "war tax," and ought to be looked upon as such; and that, in some way or other, those who lived in the country ought to bear their fair share in its burthens and imposts. Much as he should have liked to support the Resolution proposed by the right hon. Gentleman the Member for the City of London (Mr. Hubbard), he could not do so, when one part of the Motion, at all events, was diametrically opposed to the view he entertained—namely,

> "That by the due adjustment of its provisions the Income Tax be adapted for permanent use in the levy of Imperial Revenue."

Whatever he might think of the former part of the proposition embodied in this Resolution, the second part of it precluded him absolutely from doing anything otherwise than voting against the proposal as it stood. If the matter rested upon the first few words of the Motion—

> "That, considering the successive and inevitable re-enactments since 1842 of 'The Property and Income Tax,' it is expedient that, without needless delay, the unequal incidence of the tax be corrected,"

he should certainly—with the exception of one word—not only have agreed with it, but should have had great pleasure in most cordially supporting it. That one word from which he differed was "inevitable"—why inevitable? Surely something might be devised to take its place. He was one of those who could not understand, and he had never been able to comprehend, the provision on which—as he supposed—the theory and practice of the income tax was founded. Something like £53,000,000 of the £78,000,000 which we required for national purposes, was derived from what might justly be considered the legitimate method of taxing our people—in other words, to that sum all, more or less, directly contributed; but, in order to raise the additional £25,000,000, the rest of the impost was placed solely and exclusively on the shoulders of the rich. These latter paid their fair share of taxation up to that point, but the residue was obtained by a most unequal levy upon the upper classes alone. It mattered very little whether this part of the contribution came from sources of real property, or from the funds, or, indeed, in any other way; but what he complained of, and what he thought they had a right to complain of, was that the income tax was never intended to be a permanent charge; that there was a constant half-promise of its speedy abolition, and yet Government after Government, merely because it had been easy of collection, merely because it had been ready at hand, had, in its turn, said—"Oh! we won't abolish this tax; we think we can get a large sum of money, especially from the upper classes of the country; and therefore, considering it the easiest way, we won't go to the trouble, even, of revising the order of things." Practically that was the real state of the matter. But if they came to look at it, was it either reasonable or just, that that which was not a permanent income, that which was precarious, that which came from trade profits, or was the result of professional exertion, should be taxed in the same way—that was, to the same extent and on the same scale, as that which rested on the permanent basis of actual realized investment? It had been said by some hon. Gentleman opposite that trade profits were but fleeting. For his part, he wished that the income tax was so too, and that they might never hear of it again. He had never disguised the objection he felt—namely, that people did not now, as they once did, most reasonably pay in reference to their incomes. There could be no doubt that for the last 25 years the incidence of this particular tax had been not only onerous, but inequitable; and it was high time that there should be some revision with the view of providing for a more equitable adjustment in order to make all bear their fair proportion of the burthens of the State, either through direct or indirect taxation. Much had been said about "a free breakfast table," an idea which was intended to captivate the people; those who adopted arguments of that kind—those who insisted on a so-called free breakfast table, knew perfectly well that they were merely removing taxation from one set of shoulders to another. He should be as anxious as anyone that there should be just relief given either to the upper, the middle, or the wage classes; but what he was anxious, above all things, to secure was, strict justice all round. He, however, knew of nothing that would militate more strongly against that justice than the idea that seemed to permeate the minds of certain hon. Gentlemen—that if a given amount was raised by general taxation, they could fall back upon the income tax for the remainder. According to his view, that was unjust, unreasonable, and unfair; and, in order to its proper and safe re-adjustment, one of the remedies he should propose would be that wherever a man chose to afford sumptuary living, he must be made to pay accordingly. He ought not, perhaps, to be made to pay the full, but to contribute relatively, to his apparent or ostensible means—a matter that, surely, might be easily arranged or assessed. Such were the views he had always entertained, and he was glad to have had this opportunity of placing them on record.

MR. MUNTZ said, he thought the right hon. Member for Chester (Mr. Dodson) had scarcely done justice to his right hon. Friend the Member for the City of London (Mr. Hubbard) in the remarks he made. The right hon. Member for Chester attempted to prove that if the proposition of his right hon. Friend were carried out we should have to fall back entirely upon an income tax derived from the funds and land. That was altogether fallacious. There was not only income from the funds, but income from large companies, and income from capital invested in commerce. He had always maintained that, in order to do justice in the matter of incomes derived from trade or professions, the tax ought to be on a certain number of years' purchase. We ought not to say that a man who, by his industry, obtained a precarious livelihood should be treated in the same way as a person who had income from land or an investment. There was also another anomaly which ought to be redressed. The tax was assessed on the rateable value of property, and not on the rent. Thus, if premises were worth £1,000 a-year, the tax was levied on that amount; but the tenant only received back from his landlord the 3*d*. per pound, or whatever it might be, on the rent actually paid, which probably would not be more than £800. The only way to meet that was to assess the landlord, and not the tenant, or levy the tax on the amount of rent paid. He congratulated his right hon. Friend upon the assiduity with which he brought forward this subject. He thought enough had been said to explain to the right hon. Gentleman the Chancellor of the Exchequer the views and desires of the community. There was a great deal of discontent on this subject, and he hoped that if an opportunity should offer itself, the Treasury would carefully consider the matter.

SIR JOHN LUBBOCK strongly objected to the doctrine broached by the hon. Baronet (Sir George Campbell) that the income tax either was or ought to be a graduated tax. He feared that the alterations made by the present Chancellor of the Exchequer had done something to encourage such theories. He hoped the right hon. Gentleman the Member for the City of London would be satisfied with the discussion, and not press his Resolution to a division. He feared that the changes he proposed presented great practical difficulties. Directly we attempted to make any exemption at all from the operation of this tax, we should be bound to make it in favour of the fundholders. No doubt there were many anomalies in this tax which were well worthy of consideration, but he hoped the right hon. Gentleman would not divide the House upon the question.

THE CHANCELLOR OF THE EXCHEQUER: Sir, there can be no more legitimate subject for discussion in this House than the question of an important tax such as the income tax, and I think we all acknowledge that the right hon. Gentleman, who has for so many years paid so much attention to this question, deserves the thanks of the House for the manner in which he has brought it before us on this occasion. At the same time, however, I cannot help remarking that the very great difference of opinion which this Motion has evoked seems to show that, if we were to go to a division upon it, we should probably place many hon. Gentlemen in considerable difficulty, and should probably find we were raising several false issues. In listening to the various speakers who have taken part in this not very prelonged debate, I have been scarcely able to count the number of wholly different opinions which have been expressed by them. The right hon. Gentleman the Member for the City of London comes forward and says that this income tax is or ought to be a very good tax, and that it should be looked upon as a permanent portion of the taxation of the country, and he proposes to amend it in certain particulars, in order to make it a proper element of our financial system. Then the hon. Member for Stoke

(Dr. Kenealy) expressed his opinion that it is impossible to impose a worse tax, and although he would have certain taxes in its place which would bear an analogy to some portions of the income tax, he denounced the tax itself as utterly unjustifiable and bad, and only to be regarded as a war tax, or as one to be imposed in the case of urgent necessity. And, indeed, the hon. Member's indignation led him to say that no statesman had ever justified this tax, except as a war tax. It is clear, however, that the particular tax under which we are now labouring was introduced some 35 or 36 years ago, not as a war tax, but for the sake of improving our general system of taxation. It was then imposed as a direct tax to relieve the country from a certain amount—a heavy amount—of indirect taxation. And, for that purpose, the public generally paid large sums into the coffers of the State through its operation without much inquiry whether the tax was paid upon fixed, funded, or precarious incomes. The hon. Member for Stoke undoubtedly is entitled to express his opinion upon the matter. It is, however, not the opinion of the general body of the House, inasmuch as the hon. Member could not obtain even a Seconder for his Amendment. Then we have the opinion of the hon. Member for the Kirkcaldy Burghs (Sir George Campbell). He was in favour of an income tax. He thought it was a most excellent system, because it would, if properly arranged, equalize the pressure of taxation upon the rich and poor; but, as he considered the poor were overtaxed, he thought the rich ought to be chiefly hit by the income tax to set matters straight. He then went on to say he should like to see the income tax a graduated tax, falling more upon the rich than upon the poor. Next there was my hon. and learned Friend the Member for Leeds (Mr. Wheelhouse). He has not such an admiration for the tax, for he thinks that the rich pay too much already towards the income of the country. The hon. Baronet opposite (Sir John Lubbock) answered exceedingly well the objections which are made to a graduated income tax. Then we had the hon. Member for Birmingham (Mr. Muntz), who has spoken with regard to particular corrections that might be made in the mode of assessing one kind of income and another, and indicating it would be possible to find means to so alter the incidence of the tax as to make it fair, whereas it is now unfair. I may refer very briefly to the admirable speech of the right hon. Member for Chester (Mr. Dodson), who went through the whole of the question with regard to the theory and the incidence of the tax, and in my judgment he irrefutably demonstrated that it would be impossible to amend the income tax in the way indicated by the hon. Member for Birmingham without introducing into the matter more difficulties and heartburning and inequality than we have at present to contend with. The hon. Member for Macclesfield (Mr. Chadwick), who has paid great attention to this subject, spoke upon it with intelligence and with authority; and, undoubtedly, there were some points in his speech which were deserving of attention. The hon. Gentleman referred to a recent decision in an important case with reference to a coal mine in which he was personally interested, which certainly appears to have shaken some of the views formerly held upon an important part of the law; and, moreover, he made some remarks upon the general manner in which the tax is administered. I will not enter now into the question of the effect of the decision with regard to the coal mine; but, undoubtedly, if the principle of that decision is maintained, it will give rise to most serious considerations, because it would go very much beyond the case to which it was applied. I should be sorry, however off-hand, to express any opinion with regard to it. With regard to the question of administration, I must say that some reflections have been cast upon those officials who are employed in the administration of this part of our financial system which I was sorry to hear; and I think that hon. Members, on reflection, will feel that they ought not to be thrown broadcast upon gentlemen who are engaged in so difficult, delicate, and invidious a duty as that of collecting the income tax. There is no doubt that the duty of a tax-gatherer is an invidious one, and those who discharge those duties are liable to considerable misrepresentation, and therefore it is the duty of Parliament, as well as of all their official superiors, to support and to stand up for those who are employed in discharging those functions. Of course, in saying that, I do not mean to say there may not be cases for complaint, or that hon. Members are not at full liberty to bring cases of individual misconduct under the notice of this House; but, in all such cases, the charges should be specific, so that they might be fully investigated, and, if possible, answered. We ought to abstain from the cheap and easy way of throwing out general imputations against officials who are not here to defend themselves, and whom we do not know how to defend because we do not know the exact objects of the attack. I will, however, undertake to communicate on the subject with the Board of Inland Revenue, in order to see whether the existing system of collection cannot be improved, and the natural complaints obviated or met. I am sure that the feeling of the Chairman of that Board will be the same as mine —to make the application of this tax, as long as it remains, as little oppressive and as fair as can be. The hon. Gentleman spoke just now of a mode in which he thought some check might be put upon fraudulent returns, and it is said if you were to do away with some of the irregularities in the assessment of the tax you would practically do away with, or diminish, fraud. That is a view, however, which we can hardly accept. The hon. Member for Macclesfield suggests we might employ a more stringent mode of investigation. He says we might employ accountants; and he referred to the excellent services which gentlemen of that profession render in investigating the concerns of mercantile houses which are winding up, and other concerns which are submitted to them. I have no doubt that is the case where there is a voluntary submission to these gentlemen to examine and verify these accounts; but here you have to proceed in cases where you will have no such voluntary submission, and any investigation would be of a highly inquisitorial character. This plan could only be rendered effective by arming the gentlemen in question with very stringent powers, and that, at any rate, would not increase the popularity of the tax. I cannot. therefore, accept the view of the hon. Member who made the proposal. I do not think it necessary I should enter more fully into this question. The subject generally is one most reasonable to be discussed, and I think the discussion of this evening has been a useful one; but I do not think any practical advantage would be gained by dividing upon the Motion of my right hon. Friend, and I would therefore suggest that the Motion should be withdrawn.

Motion, by leave, *withdrawn.*

HERALDS' COLLEGE.—RESOLUTION.

MR. GOLDNEY rose to call the attention of the House to the Heralds' College, or College of Arms, the duties, fees, and emoluments of the officers and the property in and custody of the official records; and to move—

"That the Heralds' College, or College of Arms, if recognized as a public department, ought to be under efficient public control,"

when——

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after
Seven o'clock.

HOUSE OF COMMONS,

Wednesday, 27th February, 1878.

MINUTES.]—WAYS AND MEANS—*considered in Committee*—(£1,000,000) Exchequer Bonds.

PUBLIC BILLS—*Second Reading*—Colonial Marriages [16]; County Courts Jurisdiction (No. 2) [102], *debate adjourned;* Bills of Sale* [90].

Committee—Report—Matrimonial Causes Acts Amendment [117].

Third Reading—Glebe Loans (Ireland)* [9], and *passed.*

ORDERS OF THE DAY.

COLONIAL MARRIAGES BILL.

(*Mr. Knatchbull-Hugessen, Mr. Russell Gurney, Sir Thomas Chambers.*)

[BILL 16.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Knatchbull-Hugessen.*)

MR. GREGORY, in moving that the Bill be read a second time that day six months, said, that the right hon. Member for Sandwich had taken a course which he had no right to complain of in not giving reasons for or explaining the provisions of the Bill, as it was in accordance with the Rules of the House; but it placed an opponent in some difficulty, in consequence of not having the case for the Bill before the House; and, as the matter stood, there was no reason given for this measure except that stated in the Preamble of the Bill—namely, that certain laws had been passed by the Colonies in Australia and sanctioned by the Imperial Government; that other laws of the same kind might be passed and might be sanctioned by the Imperial Government; that doubts had arisen as to the status and legitimacy and rights of succession of the issue of marriages under those laws to property in this country, and therefore it was expedient that such doubts should be removed and the rights of such issue distinctly declared. There were three propositions in the Preamble of the Bill—that Acts passed by Colonial Parliaments had received the sanction of the Imperial Government, that doubts had arisen as to the status and rights of persons affected by those Acts, and that those doubts should be removed. He would state shortly what was the legal status of the parties concerned, the alterations proposed to be made in the law, and the consequences which would follow upon such alterations. By the 5 & 6 *Vict.* c. 76, power was given to the Governments of New South Wales and Van Diemen's Land to pass laws for those Colonies; but it was provided that every Bill passed by the Councils should be presented to the Governors of the Colonies for Her Majesty's assent; and it was declared that, according to their discretion, the Governors should assent to it in Her Majesty's name, or reserve it for Her Majesty's pleasure to be made known thereon; and by the 33rd section of the Act it was provided that no Bill should have the force of law until the Governors had signified that it had been sanctioned in the mode required. There were subsequent Acts creating Legislatures in the Australian Colonies, and they contained provisions with regard to the assents to be given to Bills passed by the Houses on the same terms as he had mentioned to the House. That was the foundation of the Legislatures of these Colonies, and similar Acts had been passed for other Colonies. The Australian Colonies, having legislative powers, had, no doubt, passed the Acts which were referred to in the Bill, and he believed that they were the only Colonies which had at present done so. There was another Act, passed in 1865, to which it was necessary to refer—namely, the 28 & 29 *Vict.* c. 64, which was intituled "An Act to remove doubts as to the validity of certain marriages contracted between subjects of Her Majesty," and it was provided that that law should be deemed to have a certain force and effect in all parts of Her Majesty's Dominions; but that such law should not be applied to persons where, according to the law of England, it was not lawful for persons to contract such marriages. It appeared to him that the last Act had a very important bearing on this subject, as it showed that the attention of the Colonies was directed to the question that no marriages would be recognized in this country where the parties were under the legal disability known in this country, and that the feeling of the Legislature of this country upon this question was that the Colonies should not alter the law in that respect by any Acts of the Colonial Legislatures. That was the present position of the matter. It was now proposed by this Bill to enact that all marriages which had been or should thereafter be contracted by persons domiciled in the Colonies were lawful, and that the issue of all such marriages should enjoy, and be entitled to, rights of succession and otherwise, as they would have been entitled to if the persons had been lawfully married, and the issue were legitimate in the United Kingdom—that was to say, that the issue of such marriages contracted under the Acts of the Colonial Legislatures should, notwithstanding the Act of 1865, be considered legitimate as successors and heirs to real and personal property in this country. The words of the Bill were, in effect, to legalize all such marriages by persons domiciled in the Colonies where such marriages were lawful. He presumed that that meant domiciled at the time of such marriages, and that then the issue should inherit or succeed. But the Bill did not distinctly state this, and suppose some persons who had contracted these marriages should abandon their domicile in Australia and acquire a new one, would their issue be under this Bill legitimate? He thought it would leave them in a very awkward position in case there should be a new domicile; but, apart from the question of domicile, it should be remembered that succession to real property was governed by the *lex loci.* He did not know any principle of the law of England better established than that, and he believed that it was the general law of civilized countries; and he ventured to think that there should be very strong grounds shown for altering that law. The Bill also contained a provision that the property in possession of any person should not be affected by the operations of this Act; but he would point out that a person, though not in possession of property, might have a vested interest in it, and might alienate, charge, and assign it; and unless the Bill was altered or modified in this respect, it might operate most unjustly to parties having those vested interests, or on third parties to whom they had been conveyed. Now, the ground put forth by this Bill was that as certain Colonial Legislatures had made valid certain marriages which were not valid in this country, therefore, as much inconvenience might be felt by the issue in not succeeding to real estate in this country as if they were legitimate, the law should be altered to remove that inconvenience. Another ground put forward was that the laws of the Colonies had received Imperial sanction. He was quite prepared to admit that Bills had been passed on this subject by Colonial Legislatures, and that they had been sanctioned by the Imperial Government; but that they were to be applied to any other part of the world than the Colonies themselves he would deny. He could conceive the case of a Colonial Legislature passing an Act which, however it might be required by the special circumstances of the Colony, would be so objectionable in principle that it could never be applied to this country; and he knew of a Colony having passed an Act which absolutely transferred the property of owners to the occupiers, and which left those owners to be remunerated or compensated by Commissioners appointed under the Act; and the owners were compelled to do what was required of them. That Act was sent home, and he believed that for some time the Imperial sanction was refused to it; but it was ultimately sanctioned, because it was considered necessary in the actual state of, and for the purposes of, the Colony; and, so far, it might be considered as in *pari materia* with the Colonial Acts under consideration. Another argument used in favour of the Bill was that it was greatly desired by the Colonies themselves; but there was no evidence that such was the case. They did not hear of any strong representations from the Colonies on the subject, nor did it appear that the Bill would apply to a large number of persons. In fact, it was only to a few persons, the issue of these marriages, who had inherited landed estates in England, that this change in the law would apply. Now, if once we altered our laws at the desire of the Colonies, we should find it difficult to stop. If we accepted the principle of altering our laws to suit the legislation of the Colonies, what could we say to the law of Scotland? It was well known that in Scotland issue antecedent to marriage was legitimised by subsequent marriage. If we passed this Bill, we should have people in Scotland saying—"We are part of the United Kingdom, and more so than any Colony, and on what grounds can you now refuse to recognize in England such issue as legitimate?" We might then have claims made to certain Peerages in this country by Peers in Scotland, born out of wedlock, but legalized according to the Scotch law. It would be also impossible to refuse to acknowledge foreign marriages between persons incapacitated here. He objected, therefore, to a Bill which would introduce such important changes into our law for the benefit of a limited number of persons. He could not believe that the reasons on which this Bill was supported embodied the real objects of its promoters. This measure was part of a much larger question, and one which had been frequently discussed. The Bill, though ostensibly introduced for the benefit of a few persons in the Colonies, was brought in by those who had been knocking at the door of this House for many years without success, and who had violated the law by marriage with their deceased wife's sister. He thought the Bill was a flank movement on a position which had been assailed in front in vain, and he believed that if it were passed, and that the House thereby established the principle for the Colonies, similar legislation for this country could not be avoided. For these reasons, he moved that the Bill be read a second time that day six months.

Mr. HEYGATE, in seconding the Amendment, observed that, whatever opinions might be entertained respecting the desirability of changing any of the marriage laws of this country, it would not be denied that any alteration which affected their general policy ought to be the result of a full and careful discussion. It was not a subject to be decided on a side issue, such as he believed this to be. The partial success which the Bill met with last year was owing to the circumstances that its real nature was hardly understood by the House. Judging from its title only, the Bill was a very innocent one. Anyone, reading the title, might imagine that it in no way affected the marriage laws of the mother country; but it involved the repudiation by Parliament of its deliberate policy when this question was fully discussed on a former occasion. The main argument which had been used last year in favour of the Bill by his right hon. Friend the Member for Sandwich (Mr. Knatchbull-Hugessen) was that because Her Majesty had not exercised her Constitutional right of vetoing the Acts passed by certain small Colonial Legislatures; therefore, Her Majesty approved of the measure itself. But the simple fact was, that Her Majesty was advised that, having given to those Colonies full legislative powers, she ought not to refuse her assent to any Bill which they might pass, so long as great Imperial interests were not involved; but it could not be argued that the non-exercise of the power of veto indicated the approval of this law by the Queen. The present was not a fit occasion to argue the general question of marriage with a deceased wife's sister; but it was impossible to deal with the Bill without touching on that subject, and, as had been shown again and again, the question could not rest with the abolition of one particular prohibition; but it involved the consideration of the prohibition of all the relations of affinity. The Colonial Legislatures might think fit to do away with other prohibitions, but he could not believe that the House was prepared to follow them in such a course. In deciding this matter, therefore, they were not only dealing with Colonial marriages, but with the general question. He did not see how the question of Scotland could be omitted from this legislation. He did not think they should alter their laws to suit the legislation of the Colonies, when they would not do it to suit the law of a country so much nearer them. Why should Scotland be insulted by being left out in the cold when the Colonies were to be treated so tenderly? Then, again, the advocates of the change proposed were constantly asserting that Parliament had so often agreed to their principle that before long the prohibition was certain to be removed in this country also; but the fact was, this question had been submitted to Parliment eight times since the year 1841. [Mr. Knatchbull-Hugessen: Not this Bill.] He repeated that the general question had been considered eight times. The Parliaments of 1841, 1859, 1865, and 1874 had rejected the proposal; while, on the other hand, his right hon. Friend was entitled to claim that the Parliaments of 1847, 1852, 1857, and 1868 had approved it. His right hon. Friend, however, was not entitled to speak of the general proposal as one which had been approved over and over again; because, in point of fact, it had been rejected as many times as it had been approved. The objection raised by Lord Carnarvon that those who wished to evade the law here might, if this Bill passed, trip to the Colonies, stay there just long enough to become naturalized—not a very difficult process, he believed—and then avail themselves of the law of Australia, remained in force. Last year, in reply to that objection, the promoters of the Bill, feeling the difficulty, promised to insert words to meet the case; but he looked in vain this year for any such words. Believing that no fresh reason had been brought forward on this occasion to justify the proposed serious alteration in our law, he seconded the rejection of the Bill.

Amendment proposed, to leave out the work "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Gregory.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. BAXTER desired to say a few words in favour of the measure, especially from a Colonial point ofview. The hon. Member for East Sussex (Mr. Gregory) had expressed a belief that this measure was merely a covert attempt to bring about an alteration of the marriage law of this country. He (Mr. Baxter) knew nothing about the origin of the Bill, or the motive of the parties who introduced it into the House; he judged the Bill upon its merits, and considered it to be one of very considerable importance so far as the Colonies themselves were concerned. There had been a great deal of discussion both in that House and the country as to our relations with the Colonies; and those who were interested in the question might fairly enough be divided into two parties—one believing in the eventual separation between the mother country and the Colonies, and the other believing that a permament federal connection might be kept up. There were many in this country who thought that Australia, New Zealand, the Dominion of Canada, and South Africa, were too vast and too distant, and had interests too much at variance with those of the mother country to enable them in the long run to keep up any political tie; while there were others who held the contrary view, and believed that there was nothing to prevent the present connection being maintained in the future. He admitted that to the people who took the first of these views, and whom he might be allowed to call the separatists, this Bill was of very little consequence indeed; but it did strike him that this was a measure that must be regarded as of very great importance by those who took the opposite view. Surely hon. Gentlemen who cherished the idea of a perpetual union between England and her Colonies should take every means in their power to remove anything that would have a tendency to disturb the good feeling existing in the Colonies towards the mother country. They ought to see that no kind of justice was denied to the Colonists, and that they had the same rights and privileges as were given to other subjects of the Crown. He did not say for a moment that there were not arguments, and strong arguments, against this Bill; but, however strong might be their objections, those who opposed this Bill were taking a course anything but calculated to promote a continuance of the union between this country and its Colonies. ["No, no!"] That was his opinion. He had been brought in the course of his life very much in contact with Colonists; and his testimony was that that portion of them, being the majority, who looked forward to a continuance of the union, and who were disinclined to fall under the description of foreigners, regarded this Bill with favour, and were most anxious that it should pass; because they were afraid that if the law were not altered the question would soon give rise to contention and angry feelings. The hon. Gentleman who moved the rejection of the Bill had criticized that clause which provided for it having a retrospective effect. That was a suitable question when it went into Committee, and if the words were not sufficient to carry out the whole intention of the Bill, it could be altered. Putting aside that, there remained certainly very few arguments against the Bill. The hon. Member for South Leicestershire (Mr. Heygate) had revived the old argument which he had thought was exploded—for the hon. Member for East Sussex did not use it—the holiday argument; and stated distinctly that a person residing in this country might, under the operation of this Bill, visit the Colonies with the object of such a marriage, and so evade the marriage law of this country, and he objected to the Bill that it was not sufficiently definite on the subject of domicile. He (Mr. Baxter) thought they might trust to the Courts of Law in this country to give such a *bonâ fide* interpretation of the word "domicile" as would render absolutely out of the question any such attempt to evade the law as that mentioned by the hon. Member for South Leicestershire. The hon. Gentleman who spoke last had mentioned the differences that existed between the law of England and of Scotland, and had said that they would next be called upon to legalize in England certain Scotch marriages. He (Mr. Baxter) confessed that our marriage law was very discreditable to us as a nation, and also that it was not to our credit that our marriage laws had not been assimilated long ago; but two blacks did not make a white. He asserted that they must deal with each question on its merits as it arose. It was no answer to the Colonists to tell them that the wisdom of our great legal luminaries had not been sufficient to remove the anomalies existing in the marriage law of the two countries. It was said this was a mere sentimental affair, got up for a particular purpose, and that no practical difficulty had arisen. He might state that the first of the Colonial Acts they were now considering was only about six or seven years old; and he was certain that very knotty questions would necessarily arise, and therefore he was anxious that, acting upon the principle that prevention was better than cure, they should pass this Bill, and so prevent a collision between this country and her Colonies. This question, if left unsettled, was more likely to cause a separation than all the arguments used by those who desired to see the Colonies no longer dependent upon us. The hon. Member who had seconded the Amendment said there was no interest taken by the Colonists in this subject. That was not his own experience. A great many Colonists who were friends of his had asked him very particularly with regard to the chances which the Bill had of passing; and, if he was not mistaken, Memorials had been presented in favour of the Bill from South Australia. He believed if the Bill were not passed the House would hear more about the feelings of the Colonists, for he was of opinion that its rejection would be more likely to bring about a separation than anything else. He had great pleasure in supporting the second reading of the Bill.

Sir HENRY HOLLAND: Before proceeding to deal with the Bill, I must entirely dispute the position taken up by the right hon. Gentleman who has just spoken—namely, that those who oppose this Bill are taking a course not calculated to promote a continuance of the union between this country and the Colonies. I oppose this Bill; but I yield to no one in my desire to strengthen in every way the links that bind the Colonies to the mother country; and only last Session I ventured to support the principle of Confederation on the ground that, if we could by this means secure central Legislatures, we might look forward to having such Legislatures directly represented in this country. I oppose the Bill with some reluctance, because I admit there is a *primâ facie* case in its favour. There is a *primâ facie* case in favour of the contention that the issue of a marriage which would be lawful in a Colony should stand on the same footing as the issue of a marriage which would be lawful in this country. But, on the other hand, I hold that the inconvenience of bringing the law of this country into harmony with the law of not all, but some of the most important of the Colonies, in this matter, would be greater than any arising from the present state of things, and affords a complete answer to the apparently reasonable wishes of the Colonists. I am not disposed to lay much stress on "the thin end of the wedge" argument—namely, that if this Bill should become law, it would afford strong grounds for altering the marriage law of this country. Doubtless all the supporters of this Bill will be found in the ranks of those who advocate a change in the marriage law of England. But that measure must be judged and decided on its own merits; and the conditions and relations of a Colony are so different from those of this country, that no reasonable man can contend that a law which is just and proper for a Colony is necessarily just and proper, or suited to the requirements in the mother country. It will be observed that the House is asked to legislate in exactly the converse direction to what one would expect. I can understand that if a law is passed in this country, and proved to be beneficial in its operation, the Colonial Legislatures might well be pressed to adopt some such measure, not only with a view to secure to the Colonies the benefits of such legislation, but also to secure uniformity of legislation throughout the Empire. But we are now asked to alter an old established law of England—a rule of inheritance which may affect every honour and all the real property of the realm—because certain Colonies have passed a marriage law directly contrary to the existing marriage law of England. To establish such a precedent, a very strong case of hardship must be made out; and such a case the supporters of this Bill have failed to show—whether we look to the number of persons likely to be affected by the existing law, or to the extent to which they will be affected. First, as to the number of persons. It is not to be assumed, because these marriages have been allowed, that there will be any great number of them; nor that in every case there will be issue of such marriages; nor that the parents of children will leave the Colony, break up their domicile there, and commence a new one in England; nor, further, that the parents will buy freehold land here, and then die without making a will. This simple statement serves to show how very few persons, at least for very many years to come, are likely to be affected by the existing law. Secondly, as to the extent of the hardship created by the law. There may be laws of such a harsh and penal character, affecting one class of persons to that degree, that those persons might be excused if they evaded the effect of such laws, even by means not strictly legal. But we are dealing with a well established law of succession, fair in principle, and applying to all persons of all classes. And the effect of it can be got rid of, in all cases where land has been purchased, by a well-known and simple legal step —namely, the making of a will. For reasons with which I need not trouble the House, no hardship can arise in the case of personalty; and the children of these Colonial marriages would be so far on the same footing in this country as the children of marriages legally contracted here. It is only in the case of real property that the *lex loci rei sitæ* prevails. The extent, then, to which the issue of these Colonial marriages can be injuriously affected, is very small from the pecuniary point of view. There remains the "sentimental" side of the question; and, in using the word "sentimental," I use it in no ironical or disparaging sense, as I can quite understand and sympathize with the feeling of the Colonists when they complain that the taint of illegitimacy attaches to the children of these Colonial marriages. But too much has been made of this complaint. It has been pressed beyond its legitimate bounds. The taint of illegitimacy only attaches when title or succession to realty here are in question, and then only in a modified form, as the marriage itself is recognized as valid, although the consequences which would flow from it in the Colony will not flow from it here. That a marriage validly contracted according to the law of the country by persons *bonâ fide* domiciled there is valid throughout Christendom is established by such high authorities as Lord Stowell, Chief Justice Tindal, Lord Cranworth, and others; and therein the case differs from that of a marriage contracted according to the laws of a foreign country but by persons domiciled in this country, and who have gone abroad for the purpose of evading the law here, and contracting a marriage which is forbidden here. There is no doubt, I apprehend, that in the former case, if a man came over here, and married again, his second wife being still alive, he would be liable to be tried for bigamy. This being the case, it can hardly be contended that the taint of illegitimacy attaches to the issue of these Colonial marriages. They are treated as legitimate, but they have no capacity to inherit land here, as not born of a marriage which can be contracted in this country. The case of Scotch marriages presents a somewhat close analogy. The Scotch marriage is recognized as valid; but the consequences that flow from that marriage in Scotland —namely, the legitimizing a child born before the marriage—would not be allowed in England where a question of succession to real property arises. What, then, is the state of the case? The Colonist secures in the Colony all the advantages which the Colonial law contemplated, and which the Queen in Council, when sanctioning that law, intended to give, as no Colonial law can have effect beyond the limits of the Colony in which it is passed. He comes over here and finds a well-known and well-established law of succession. We are asked to change this law and to bring it into conformity with the law of the Colony—a law, be it observed, which is contrary to the marriage law of England. If we create this precedent, where are we to stop? We are asked, moreover, to remove one anomaly, although by doing so we shall create a much greater anomaly. At present, in this country, all issue of marriages of deceased wife's sister are on the same footing as to succession and inheritance. We are asked to put the issue of such marriages, if contracted in a Colony, on a different footing. I contend that no case has been made out for altering the law of this country, and for creating a precedent which may prove hereafter very inconvenient.

MR. OSBORNE MORGAN said, he should have thought the hon. Baronet who had just sat down would have hesitated to give a vote which cast a slur on the Colonies, because it was throwing a slur on them to say that what was the law in Australia would not be right in England. The hon. Baronet objected to the alteration of the law because the persons who suffered from it were very few; but that was an argument which he had great difficulty in hearing with patience, because, if a thing was unjust, the wrong ought to be redressed, whether the persons who suffered from it were to be counted on one's fingers or by thousands. He was glad his hon. Friend did not lay much weight on "the thin end of the wedge" argument—an argument which was most illogical, for it came to this—that they were not to do a thing which was right, because at some future time it might be used as an argument for doing that which was wrong. According to the law it was proposed to change, if a man who contracted a marriage with a deceased wife's sister in Victoria or South Australia, where it was perfectly valid, returned to England, he carried with him his Colonial status for every purpose except the inheritance of real property. Suppose he invested his money in the funds, the children of the second marriage were perfectly legitimate with regard to it, and if he bought the lease of the house in which he lived, the case was the same. But if he bought a piece of freehold land—say for the purpose of building a stable—then he might be a married man within his house and a widower outside it, and his children might be legitimate inside the house and bastards when they went into the stable. That was an anomalous state of things. The right hon. Gentleman the Chancellor of the Exchequer, on a former occasion, had spoken of anomalies as if they were good things in themselves, like the knots of a tree, which only gave it strength. But they were not to preserve an anomaly because it was an anomaly. It might be said a man need not die intestate. That was an argument always put forward to defend a most unjust law of inheritance. But surely—to say nothing of the descent of settled property—a man ought not to be punished because he had died—it might be accidentally—before he could make a will. It was the duty of the law to make such a disposition of a man's property as he ought to make, and if he had done his duty would have made for himself. For all these reasons, he would support the second reading.

Earl PERCY said, he considered the speech of the hon. and learned Gentleman the Member for Denbighshire simply amounted to a begging of the question. The hon. and learned Gentleman had assumed that the ground which the opponents of the Bill had taken up was unjust, that then they declared the injustice so small that it need not be regarded, and that they objected to the introduction of a juster law because it was the thin end of the wedge. Such was not the true state of the case. The opponents of the Bill held that the view of its advocates as to what the law ought to be was an erroneous view, and they considered that the proposed change, though small in itself, would open the way to larger measures of the same description, and, therefore, they felt bound to resist it. He agreed with the hon. and learned Gentleman that if an injustice, whether great or small, were done to the Colonists, it ought to be remedied, with this reservation, that it was not worth while for Parliament to legislate about grievances reduced to a minimum. Fortunately a custom had grown up of hon. Members sending round circulars on subjects in which they were interested, giving all the arguments, or nearly all, on their side of the question. One circular last year said that of course it was intolerable that a man should be legitimate for all purposes in Australia and illegitimate for some purposes in Great Britain, and this year the same thing was said in slightly different language. He agreed with his hon. Friend (Mr. Gregory), who had moved the rejection of the Bill, that if we adopted its principle it would be impossible to refuse redress to foreigners who had contracted marriages not in harmony with the law of this country. Foreigners contracted those marriages in ignorance of the laws of this country; but the marriages with which this Bill dealt had been contracted within the last 11 years by Colonists with their eyes open, who fully understood what the law of England was. He asked, was it a proper use of language to apply the term "unjust" to a system which had existed for 500 years, because this country would not change its attitude and bring its legislation into accordance with a law made in some Colonies quite recently? If we were to alter our law owing to a grievance which was admitted to be very small—and he wished some hon. Member would be kind enough to state how many persons it affected—where was this principle of accommodating our law to the law of the Colonies to stop? The hon. and learned Member spoke of injustice to the Colonies; but our Colonies had come into this position because we had given them Legislatures with liberty to make their own laws, and we were now told unless we made our legal system in all respects coincide with theirs we should be doing them injustice. He must take exception to that line of argument altogether. It was said that the opponents of this Bill showed a want of sympathy with the Colonies; but he entirely repudiated such an idea. He could not help thinking this Bill, if passed, would open the door to endless litigation; and if there was no other reason for opposing the Bill than this, he should say that the peace and quiet, the safeguards which were necessary to the enjoyment of property and the maintenance of the most intimate relations of life which had hitherto existed in this country, rendered it necessary to oppose the Bill.

SIR THOMAS CHAMBERS observed that there could be no difficulty on the question of domicile, because until that was determined, until it was proved that a man was in a condition to contract such a marriage in the Colony, his marriage was not valid. It was a mistake to suppose that the promoters of the Bill were seeking to alter the English law. No alteration was sought to be made in the law of succession to realty or personalty. They had a certain number of persons whose marriages were perfectly valid where they took place, which began to be doubted when they left their own shores, and which ended in having no validity at all when they came to the mother country. It was no answer to say that the Scotch was different to the English law of marriage, for the Scotch was an ancient law, which had grown up no one knew how. The marriages now under consideration were good and valid, having received the sanction of the Queen in Council; and what the Bill did was to place the parties in the same relation to the English law of succession as if their marriage had been contracted in this country. Nothing could be more reasonable. The laws authorizing such marriages were passed in the Colonies; they were reserved for consideration by the Queen in Council; and, that consideration and sanction having been given, what the Bill asked was that, having received the sanction of Colonial law and Imperial law, the parties should be placed on the same footing as if they had contracted marriage in this country. This was not a mere question of property, but of status, which was far more important; and it ought to be settled by a declaratory Act of Parliament stating that, for all purposes, legitimate offspring in the Colonies should be placed in as good a position as the offspring of marriages contracted under the laws of this country.

MR. BERESFORD HOPE pressed upon the House to consider how thoroughly fallacious was the allegation confidently put forward that the "domicile" recited in the Bill would be any safeguard against its being misused for personal ends by couples who really belonged to the United Kingdom and not to the Colonies. They all knew the courage of the hon. and learned Member for Marylebone (Sir Thomas Chambers), and yet all that he dared to assert in defence of domicile having some calculable value as a protection, was that it was "a difficult question of fact." A difficult question of fact, indeed! When he said that, he gave up the whole case. Nobody asserted that it was a question of imagination; while it was on the difficulty of disproving the alleged fact that the danger arose, and upon which the complication of the whole controversy turned. He claimed, quoting a saying of Sir James Graham, to rise out of the region of *Nisi Prius*, and deal with the question as one of broad and general policy. He desired to point out some considerations which he was sure must have escaped the attention of hon. Members and others who were tempted to believe that the principle of relaxation, which lay at the bottom of the Bill, was not a matter of first-class importance, as it would only have reference to communities who were more or less English born or English descended; and who might, therefore, be trusted to frame these relaxations in the spirit of English law, English social feeling, and English morality. As to this he contended that the present Bill, although claiming to deal with only one degree, would, if it became law, involve the gift of *carte blanche* to the Colonies to settle their own marriage law for themselves in every relation. How far, then, would this reputation of English "flesh and blood" continue to operate as a safeguard? He must point out that even if the pet Bill of the hon. and learned Member for Marylebone, entitling a man to call his wife's sister his wife, were to become law, England would still stand unique in the limitations of its marriage law among the nations of Europe. It would be still Marylebone against the Continent — *Athanasius contra mundum.* The promoters of this measure were now fighting under a mask to legalize for England the alliance with the wife's sister. But in every country of Europe where that union was tolerated, so was that with the brother's widow, and with the man's own niece, and the man's own aunt, sometimes with the formality of a dispensation, sometimes without. Such was the case in Holland, to which the Cape had to say something; and such in France, to which Canada was not unaffined. The present law in France was an Act of the Legislature in the early days of Louis Philippe, dated April 16, 1832. It was short, being simply—

> "The Article 164 of the Civil Code is modified as follows:—Nevertheless, it is permissible for the King [for which, of course, we must now read the Chief of the Executive] to remit for grave causes the prohibitions attached by the Article 162 to marriages between brothers-in-law and sisters-in-law, and by the Article 164 against marriages between the uncle and the niece, the aunt and the nephew."

These marriages had previously been impossible. As to the professed gravity of the causes, the Lenten Pastoral of the present Archbishop of Paris for 1877 complained of the facility by which such dispensations could be procured, and which had made marriages of the kind dangerously and painfully common. He must note the phraseology of the French law—it was *beau-frère* and *belle-sœur* simply, brother-in-law and sister-in-law. Neither France nor any other foreign country recognized, even in its legal language, the difference between the wife's sister and the brother's wife. Once any Bill—take this one—passed, it would be one effectual for all the Colonies, not for Australia only; so that French Canada, the Mauritius, the Cape, and ultimately India would lay down the marriage law and marriage customs for Great Britain and Ireland. Could it be supposed that our Colonists of non-British blood would submit to be bound by what they might deem merely British prejudices? They would be agitating for leave to call in Great Britain aunts wives, and uncles husbands, while the man who had boldly faced consequences in England and taken his wife's sister to himself, would find himself cut out in the inheritance entailed upon his race by his younger brother, who had pleased to link the sister of his dead wife to himself in the Antipodes. This was a question on which the House must not allow the Colonies to ride roughshod over the mother country, and dictate what should be the law to regulate the most momentous, delicate, and sacred relations of English private life. He hoped, therefore, this Bill would meet with such a reception as would remove it from the Order Book for the rest of this Session.

Mr. FORSYTH had been disappointed in not hearing from the most energetic and earnest opponent of this Bill stronger arguments against it. The hon. Member (Mr. Beresford Hope) had talked of the law of domicile as fruitful of litigation, but there was no more difficulty in applying the law of domicile than any other part of English law. It was a mere question of fact to be determined by an English jury. It was necessary, under the Bill as it now stood, that the parties should be domiciled in the Colony—it was not enough that they should have gone there to avoid the law. They must have gone there with a *bonâ fide* intention of remaining and residing in the Colony. He could see no possible objection to such a law passed by the Colonies and sanctioned by the Queen in Council. There was a great fallacy in the argument that if pressed the Bill the Colonial Legislatures would over-ride the Imperial Legislature, inasmuch as there was no conflict at all between admitting that certain consequences would follow a marriage in Australia, and that different consequences would follow a marriage in England. If there was any conflict at all, it existed now in allowing our marriage law to declare a marriage invalid which we had allowed Colonial Legislatures to declare valid. It was a glaring anomaly that subjects of the Queen should be legitimate in one part of Her Majesty's Dominions and that they should be illegitimate in another. It was only upheld to keep up the old feudal notion about the importance of land. Surely anyone seeking to maintain that extraordinary discrepancy was bound to give the strongest reasons for taking that course. He had himself been unable to discover what possible harm could result from passing this Bill. Nothing was more important than to conciliate the Colonies in every possible way. We held them, not by force of legislation, but by sentiment and feeling; but was it possible to wound in a more sensitive point the feelings of their brother-Colonists and fellow-subjects than by attaching to them as a consequence of a marriage which this country itself had sanctioned the stain and disgrace of illegitimacy? Unless strong reasons to the contrary could be shown by the other side, justice, expediency, and propriety warranted them in saying that this measure should pass.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) said, he was unable to concur in a great deal that had fallen from his hon. and learned Friend the Member for Marylebone (Mr. Forsyth). He thought the question of the relative position of England and the Colonies on this matter had been misunderstood. The question really stood thus—The right of succession to property in this country was part of the law of this country; and this was a Bill which, under the guise of doing something for the Colonies, and of giving them rights, attempted in truth to treat the law of England as being subordinate to that of the Colonies. It was admitted that there was a conflict of law on the subject between the Colonies, Scotland, and England; but why was the mother country to give way? Was there to be no right in this country to have its laws respected and its right of succession regulated according to its own law? Suppose this country were to attempt to force upon the Colonial Legislature some law of succession which would give a title to land different from that conferred by the law of the Colony, what would hon. Members, speaking on behalf of the Colonies, say? They would immediately say that this country was endeavouring to tyrannize over her Colonies which it ought to conciliate by every means in its power, and to force upon them a law of succession which their laws and their Constitution did not recognize. Why was not the same argument to be applicable to this country? It was not, as the hon. and learned Member had suggested, keeping up the old feudal notion about the importance of land; but the law of real property was based upon the, to him, perfectly intelligible principle that there was a difference between moveable and immoveable property. Were the Colonies to be permitted to legislate for the mother country upon such a question as this? He could not help thinking that this grievance was not much felt in the Colonies, but that the question was now introduced as one step towards the introduction of another measure which had frequently been before the House. There were some persons who looked upon marriages with a deceased wife's sister as immoral; and though he did not at present state his own opinion on the question, it must not be assumed that the subject was incapable of argument on the ground taken by those who adopted the view to which he had referred. Then it had been said that questions might arise from the conflict of the law which would give rise to serious and painful inquiries, and in that he quite agreed. It was easy to say that the law of domicile was as easily applied as any other branch of the law; but they must remember that two juries often took opposite views of the same set of facts, and, indeed, that there was a liability to constant conflict over matters of real property; and, under this Bill, they would probably be called upon to determine 20 or, perhaps, 30 years after the event, whether a person had gone abroad with the *bonâ fide* intention of taking up his domicile there, or for the purpose of evading the law. Domicile might be roughly described as a man's home; but where a man had two establishments, it would have to be argued long after the death of the parties which of the two was the place he elected to make his home. Thus a door would be opened to all kinds of difficulties; and, in the absence of any demand for the change from the Colonies, the House would certainly be justified in resisting it. It had been said that by the existing law persons had been entrapped into positions they never thought they would occupy, but was that really the case? Was any person ever debarred from the right of inheritance in this country by the operation of the present law? No such case had been shown. Surely, when they tried to force on the country such a law of succession, it was relevant to consider whether there was anyone that suffered; for, if not, the Bill was not a genuine Bill for the purpose it aimed at, but a Bill intended as a step to the ulterior end of legalizing marriage with a deceased wife's sister. The hon. and learned Member for Marylebone had misunderstood entirely the argument as it had been used in regard to the law of Scotland. No one had advanced so foolish an argument as that the anomaly between the Scotch and English law justified the maintenance of another anomaly. But it was argued that if Scotland chose to keep up a certain marriage law, and if England and the Colonies chose also to maintain a different law, each had the right to say what should be the law of succession—what was immoveably fixed in either.

Mr. Serjeant SIMON said, there was no analogy between the case of Scotland and that of the Colonies. The Bill was justified by the glaring anomaly it proposed to remove. He should be sorry to speak lightly with reference to such marriages, because he had known them to prevail among the most moral communities in the world. They had had such marriages among sections of the people whose domestic life was an example of purity, and it was too late now to take up the argument of morality against the passing of this Bill. It had been said that the passing of this measure would create various complications, but the fact was that those complications existed under the present state of the law. It was in the interests of morality, justice, and right that the Bill should pass, and he should, therefore, give his vote for the second reading.

Mr. MARTEN said, the very ground of the objection to this measure was that it proposed to deal with the most ancient system of jurisprudence that existed in this country. It could not be too deeply impressed that the question of marriage with a deceased wife's sister did not operate here. The question really was this—a law of a particular character having been passed in the Colonies, they were in England to alter their own jurisprudence in deference to the convenience of a few persons living on the other side of the world, who might have the good fortune to inherit land in this country.

They had given the Colonies a certain amount of independence; but were they, therefore, bound immediately to give effect in this country to all the laws passed in the Colonies? He thought not. If it were held that it was otherwise, he contended that then an end would be put to the independence with which the Colonial Governments were entrusted for passing laws for local purposes; because in this Bill they were virtually submitting to the Imperial Government a local Act for approval. It had been said that we ought to alter the law of inheritance; but no sufficient reason had been given for making any change in that part of our system of jurisprudence. Although there was a provision in the Bill that it should not have a retrospective effect, he believed that it would materially interfere with rights which at present existed. He held, however, that if this Bill were passed it would not deal with the parties to the marriage; it would only affect the issue of the marriage. The Bill did not affect the status of the person who who was the wife in the Colonies, and, consequently, this great grievance was one which would not be touched by the Bill.

Sir JOSEPH M'KENNA said, that although the Bill was an attempt to begin legislation at the wrong end, and that they should have first dealt with the question of marriage with a deceased wife's sister in this country, he would vote for the second reading. The Bill before them, no doubt, proposed that they should deal with those who had least claim upon Parliament before dealing with those who had the most claim upon them; but he could not admit that that was a sufficient reason for rejecting the Bill if the claim on which it was founded were in itself a just one. It was only asked for our Colonists that marriages lawfully contracted in the Colonies should be placed on the same footing that foreigners were placed in in this country in respect to marriages contracted in foreign countries, and he had heard no argument which fairly answered that demand.

Mr. Alderman COTTON said, that if the arguments of the Solicitor General were duly carried into effect, then the act of justice proposed by this Bill ought to be done to the Australian Colonies. This law as to marriage with a deceased wife's sister had been sanctioned already, and every woman so married in Australia was duly married, and the issue was legitimate. But what would be the consequence of a rejection of this Bill? In his opinion, it would be considered as an insult to the Colonies; and the moment a man landed in England, he would be able to leave his wife, who, with her children, might go to the workhouse.

The CHANCELLOR of the EXCHEQUER said, that if the Colonists were likely to consider themselves insulted he should look upon the question in a different view from that which he now entertained. His hon. Friend the Member for the City of London (Mr. Alderman Cotton) had, in effect, said that if a person were married in one part of the British Empire according to the law which now prevailed that marriage would not confer certain rights upon his children, and therefore that person had a grievance, and would consider himself insulted. Surely such an observation, if it applied to that case, would also apply to the differences which existed between the marriage laws of England and Scotland. A man married, in Scotland, in circumstances which did not give his children a right to inherit property in the Kingdom of England. If such a man—as was not unfrequently the case—possessed property in Scotland and England, when he died his property in Scotland would go to his children, according to the Scotch law; that in England would not go to his children, because they were not legitimate according to English law. No doubt that was an exceedingly inconvenient state of things, and one which fairly required serious consideration; but still it was quite impossible to say that it constituted an insult to Scotland. If it was not an insult in the case of Scotland, neither could it be said that an insult was passed by England upon Australia because the law existing in the latter gave rights which the law of the former did not give, and that Parliament refused to alter the law of England. They were bound to consider the matter on two distinct grounds—first, as to whether there was any Imperial necessity for altering the present law; and next, as to what sentimental argument could be adduced in its favour. He used the word sentimental in the way it was always used in that House, and not at all as a term of reproach; for he believed that in a matter of this kind sentiment was to be observed and respected. He ventured to think, however, that if sentiment should be observed on the one side, it should be respected on the other also. The Bill did not seem to touch the question which had been raised by a great many hon. Gentlemen as to the status of the married persons themselves when they came to this country. It was said what a grievous thing it was, that when certain persons who were legally married in Australia came to England they should be placed in a position which was extremely painful, socially. Well, it was supposed that the Bill would cure that grievance. It appeared to him that the title of the Bill was one which could not be justified. It was called a Bill to legalize certain Colonial marriages. He was unable to see how the Bill legalized any Colonial marriages at all. It dealt with rights of succession, and was intelligible in reference to that subject; but it did not seem to him to touch the question of legalizing marriages. He did not say whether a person coming to this country, who had married his deceased wife's sister in Australia, would be liable to an action for bigamy if he married another woman in England, or to penalties if he deserted his wife. That was a question for lawyers. The Bill left it as it was, and only, in his view, applied to the right of succession to a particular kind of property. If that were so, the sentimental ground was put very much into the background, and they should consider the matter on the ground rather of practical convenience. But surely on that ground it was a question which most obviously had two sides, and was the balance of inconvenience on the side of not passing the Bill? As had been well pointed out by his hon. and learned Friend the Solicitor General and the hon. and learned Member for Cambridge (Mr. Marten), the proof of domicile a long time after the marriage and death of the person married involved great difficulty and great uncertainty as to the results in suits which might arise upon it. Then, again, there would be great inconvenience and great injustice in the case of a man first in succession losing his right because his father had contracted in England a marriage precisely similar to that which was contracted in Australia by the father of a man second in succession. Not only would great inconvenience be sustained in such a case, but grievous wrong and great injury would be inflicted. But while the argument as to inconvenience was urged in favour of the passing of the Bill, it should be remembered that the inconvenience was one which could be remedied by the simple act of making a will. Then, as to what had been said in reference to the relations between the Colonies and the mother country, he wished to put the question before the House in what appeared to him to be the proper point of view. There had been in this country a controversy as to the propriety of legalizing a marriage with a deceased wife's sister. That controversy had been going on for a great number of years, and was likely to continue. Without expressing any opinion on the merits of that subject, he might say it was one on which there were strong feelings on both sides of the question, and up to this time the country had refused to alter the existing law. Upon the question an opinion was strongly expressed in one of our Colonies, and prevailed in its Legislature, which passed an Act which came home to the Sovereign for acceptance or rejection. Was the Sovereign to reject that Act on the ground of personal objection to it, and overrule the wishes of Parliament in South Australia or elsewhere? That was a serious question. Or was the Crown to decide in accordance with the feeling in this country? The Sovereign said it was an Act which related only to the internal affairs of the Colony, and seeing that it was desired by the Colony and by the Legislature there, the Sovereign confirmed the Act. If she were to refuse on Imperial grounds to give her assent, the Colony would have a right to complain. But if, when the Act had been sanctioned simply for Colonial purposes—it was used as a lever to bring about an alteration of the laws of England, would not the effect be, as had been said by the Solicitor General, to subordinate the law of the country to the law of the Colony, and the Legislature of this country to the Legislature of the Colony? Could anyone doubt that the passing of the Bill would stimulate to renewed exertions the advocates of a change in the law of England in reference to the marriage with a deceased wife's sister? And the consequence would be that when Acts came from the Colonies for approval and rejection, the Crown would have to look beyond the four corners of the Act, and consider what would be the incidental effect of approval upon legislation at home; so that the result might be to put greater restrictions than at present existed upon legislation for the Colonies. The effect of the course of legislation now proposed would be to disturb the excellent principle of self-government which prevailed in the Colonies; and, upon that ground alone, he was prepared to give his most earnest opposition to the Bill.

Mr. KNATCHBULL-HUGESSEN said, that during a somewhat lengthy Parliamentary experience he had always noticed that, however plain and simple might be the issue before the House, the moment it was dealt with by legal minds it became enveloped in mystery. For once in his life, therefore, he would take the advice of his hon. Friend the Member for Cambridge University (Mr. Beresford Hope), and, leaving the region of *Nisi Prius*, deal with the question before them as one of broad and general policy. He could not but observe that this year, as last year, most of the arguments against the Bill rested upon small points which might well be considered in Committee, while the main principle of the Bill had scarcely been touched at all. It had been a subject of comment that he had not stated his arguments in favour of the Bill on moving the second reading. It scarcely lay with those who did not come down to the House till a quarter-past 1 o'clock to complain that he had not made a speech to which they had evidently had no intention of listening. But he had, he confessed, another reason for postponing to the end of the debate the few observations he proposed submitting to the House. When moving the second reading of the Bill last Session, he had advanced arguments which he believed to be sufficient until something new was said in reply to them, They were arguments which, addressed to a House of Commons of which the large majority were his political opponents, were considered rightly and justly, not upon any political or Party grounds, but upon the grounds of common right and justice, and secured a majority of 51 for the second reading of his Bill. But, on asking his right hon. Friend the Chancellor of the Exchequer to facilitate further discussion on the Bill, he had replied that, although he could not do so, he should like to have addressed the House and urged some arguments against it which had not been adduced. Therefore, this year he (Mr. Knatchbull-Hugessen) had awaited with feelings bordering on anxiety the new arguments which might be adduced by his right hon. Friend the Chancellor of the Exchequer. But, after all, he had only found one new argument. His right hon. Friend objected to the title of the Bill. With great respect to him, the objection was hardly worthy of his right hon. Friend. It was not, he said, a Bill to legalize marriages at all. Well, the answer was, that its effect, if passed, would be to legalize the marriages to which it referred in the only way in which they could be legalized—namely, by legitimizing their issue in this country. Much had been said as to subordinating the law of England to the law of the Colony. He did not think that that was a fair description of the effect of the Bill. It would not, and he did not seek that it should, subordinate the law of England to the law of the Colony; but it would relax its operation in one particular point, not with regard to British subjects who had committed an illegal act in England, but with regard to British subjects who had committed a legal act in the Colonies. It was a matter purely affecting persons resident in the Colony, and would remove a grievance which they felt and of which they complained, and that without touching a single Englishman resident in this country. And in all these questions it was impossible to lay down a general rule. They must be dealt with each as it arose; and if, without injuriously altering the laws of England, they could in any respect be made to harmonize with Colonial legislation, the tie between mother country and Colonies would be strengthened. But it was said, how could the Colonial question be touched without an alteration being made in the law of Scotland? That was an old argument, and one which had been urged against every reform which had ever been attempted. The Colonies had demanded that the question should be brought before the British Parliament, and Scotland had not. It was said by the hon. Gentleman the Member for East Sussex (Mr. Gregory) that a child born in Scotland before wedlock could, by the subsequent marriage of its parents, be rendered legitimate, and that that was not so in England. In that case the law of Scotland condoned an immoral act, while the law of England did not. What the Bill asked the House to do was to sanction an Act which was not immoral, and which was approved by the law of the Colony. To object to this, as the Solicitor General had done, because Scotland had not asked for the same thing, was as if, when a patient went to a doctor and complained of the gout, he should be met with the reply—"It is true that you have the gout, but your neighbour has also the rheumatism, and until he comes here and asks me to prescribe for his rheumatism, no prescription shall you have for your gout." If the people of Scotland asked him to propose an alteration in their marriage laws, he (Mr. Knatchbull-Hugessen), though he should hesitate to interfere in the affairs of a people so well able to manage their own business, would give the matter his best consideration; but he could not wait until they did so before attempting to aid the Colonists. But it was always the same with those who resisted reforms. If you tried a general measure they said it was too large a question to be considered as a whole; and if you attempted to take it in detail, you were told that the details should be considered together as one question. Why were they to refuse this boon to the Colony? Because, it was said, the grievance complained of could be removed by the simple formula of making a will. He was surprised to hear that argument from his hon. and learned Friend the Member for Midhurst (Sir Henry Holland), of whom he would say in passing that he had regretted to hear his speech against this Bill, having hoped that during the years they had worked together at the Colonial Office he had learned to take a more broad and generous view of these matters. But how could his hon. and learned Friend advance such an extraordinary argument? Had the House never heard of such a thing as entailed property? How could the making of a will affect the law of entail and settlement? And even where there was no entail, a will would not prevent the grievance to the son of having to pay 10 per cent succession duty as if he were an alien in blood. A good deal had been said as to the bearing the passing of the Bill would have upon the question of marriage with a deceased wife's sister in this country. He had never attempted to deceive the House on that subject. They all knew the exact effect the passing of the Bill would have on that question; but he would remind the House that, although on the one hand it might in one sense advance the larger question as regarded England, the passing of the Bill would have this effect on the other—the stopping of agitation as to it in the Colonies, and the sending to this country of Memorials praying for an alteration of the law. He wished, also, to call attention to the strange attitude of the Church of England upon this question as compared with that of the Church of Rome. The Roman Catholics in that House generally supported the Bill. They recognized the dispensing power of the Pope to allow these marriages, although forbidden by their Church, and they would not inflict a civil disability upon their fellow-countrymen. But the Church of England, and her special champions in that House, denying the Pope's dispensing power, called in the civil power to punish those who disobeyed her supposed doctrine on this point, and caused the result that this was the only Protestant Power in Europe in which these marriages were not lawful. But he argued the passing of the Bill simply as a matter of justice. In the Colonies marriage with a deceased wife's sister was a legal act, and why should they punish people for doing that which was a legal act? And when it was said the Bill would change the law of England, he answered it would do no such thing. If they punished a man for committing an illegal act in England, they should not punish a man for doing a perfectly legal act in Australia. The question had passed through a variety of phases. Once it was opposed on Biblical grounds. That time had passed away, and now it was opposed on the ground of social inconvenience. But if there was social inconvenience, it would all have arisen in the Colonies, so far as this Bill was concerned, and the Colonists had settled that matter for themselves by legalizing the marriages there. Therefore, that argument did not apply to the Colonial Bill, and he asked them, on the other hand, to support the Bill on the ground of justice. Let them suppose the case of two brothers—one, being in possession of an entailed property, remained in England, the other proceeded to Australia and there married his deceased wife's sister; the brother in England died, the other returned to this country with his son, and what did that son find? Brought up in the Colony as the recognized eldest son of his father, treated there as a legitimate child, with no bar against his name or birth, where and when did that bar arise? He should like to hear from some of the learned casuists who opposed this Bill the precise place between Australia and England at which legitimacy ceased and bastardy begun. But what was it that this poor boy would find? He found that the moment he touched the shores of England—a country which he had been taught to regard as the cradle of liberty—a stigma was fastened on him, and that his social status was entirely changed. Was that state of things tolerable? It was not. It was a grievance to the Colonists and a scandal to our civilization. Why, he asked again, should they inflict a penalty upon a man for doing a perfectly legal act? That question had not been and could not be answered. The hon. and learned Member for Cambridge (Mr. Marten) had begged him not to alter these laws because these laws were 800 years old. But if an injustice was shown, and an improvement could be made, it mattered not whether a thing were eight years old or 800—let right be done. The Bill which, as a measure of justice, he hoped they would read a second time, would do no one in this country the least harm, while it would be welcomed and heartily appreciated in the Colonies.

Sir GEORGE BOWYER said, that the Bill contravened a fundamental principle of the conflict of laws—the principle that the laws of each country was, as a general rule, exclusive within its territory; so that no country was required to allow a foreign law to be imported within that territory, contrary to the policy of its own law. In the Sussex Peerage case that principle was affirmed by the House of Lords. The Duke of Sussex had contracted a valid marriage abroad. It was *primâ facie* valid in England, being valid by the *lex loci*. But it was in contravention of the Royal Marriage Act, and, therefore, void in England as contrary to the policy of English law. So these Colonial marriages were contrary to an English Act of Parliament. He was prepared to meet the question of marriage with a deceased wife's sister. But that question ought to be brought directly before Parliament and solemnly decided, and not brought in indirectly by giving effect in England to a Colonial law which for the present purpose must be considered a foreign law. If the Bill were passed, persons might go to the Colony and acquire a domicile there for the purpose of marrying their wives' sisters, and afterwards return here; and, thus, any number of these marriages might be rendered valid here, contrary to the law of this country and contrary to the intentions of Parliament.

Question put.

The House *divided*:—Ayes 182; Noes 161: Majority 21.

AYES.

Adam, rt. hn. W. P.
Amory, Sir J. H.
Anderson, G.
Anstruther, Sir R.
Backhouse, E.
Barclay, A. C.
Barclay, J. W.
Barran, J.
Baxter, rt. hn. W. E.
Bazley, Sir T.
Beaumont, Colonel F.
Beaumont, W. B.
Bentinck, rt. hn. G. C.
Biddulph, M.
Biggar, J. G.
Blake, T.
Brady, J.
Brassey, T.
Bright, J. (Manchester)
Bristowe, S. B.
Brooks, M.
Brown, A. H.
Brown, J. C.
Burt, T.
Cameron, C.
Campbell-Bannerman, H.
Carington, Col. hon. W.
Cartwright, W. C.
Cave, T.
Chadwick, D.
Chamberlain, J.
Chambers, Sir T.
Childers, rt. hon. H.
Clifford, C. C.
Cole, H. T.
Colebrooke, Sir T. E.
Collins, E.
Colman, J. J.
Corbett, J.
Cotes, C. C.
Cotton, W. J. R.
Courtney, L. H.
Cowan, J.
Cowen, J.
Cross, J. K.
Delahunty, J.
Denison, C. B.
Denison, W. B.
Dickson, Major A. G.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Duff, M. E. G.
Duff, R. W.
Dundas, J. C.
Edwards, H.
Egerton, Admiral hn. F.
Eyton, P. E.
Fawcett, H.
Ferguson, R.
Fitzmaurice, Lord E.
Folkestone, Viscount
Forster, Sir C.
Forster, rt. hon. W. E.
Gardner, J. T. Agg-
Goldsmid, Sir F.
Goldsmid, J.
Gordon, Sir A.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Grey, Earl de
Grosvenor, Lord R.
Gurney, rt. hon. R.
Hankey, T.
Harrison, C.
Havelock, Sir H.
Hayter, A. D.
Heath, R.
Herschell, F.
Hibbert, J. T.
Hill, A. S.
Hinchingbrook, Visct.
Holland, S.
Holms, J.
Holms, W.
Holt, J. M.
Hopwood, C. H.
Howard, hon. C.
Hughes, W. B.
Hutchinson, J. D.
Ingram, W. J.
Jackson, Sir H. M.
James, Sir H.
Jenkins, D. J.
Johnston, W.
Jolliffe, hon. S.
Kavanagh, A. MacM.
Kay - Shuttleworth, Sir U.
Kensington, Lord
Lawrence, Sir J. C.
Lawson, Sir W.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Legard, Sir C.
Leith, J. F.
Leslie, Sir J.
Lloyd, M.
Locke, J.
Lorne, Marquess of
Lowe, rt. hon. R.
Lubbock, Sir J.
Lusk, Sir A.
Macduff, Viscount
M'Arthur, A.
M'Arthur, W.
M'Kenna, Sir J. N.
Maitland, J.
Mandeville, Viscount
Marjoribanks, Sir D. C.
Marling, S. S.
Martin, P. W.
Mellor, T. W.
Monk, C. J.
Morgan, hon. F.
Morgan, G. O.
Morley, S.
Mundella, A. J.
Muntz, P. H.
Noel, E.
O'Clery, K.
O'Conor, D. M.
O'Donnell, F. H.
O'Shaughnessy, R.
Palmer, C. M.
Pease, J. W.
Pennington, F.
Perkins, Sir F.
Philips, R. N.
Plimsoll, S.
Potter, T. B.
Powell, W.
Price, W. E.
Ralli, P.
Rathbone, W.
Redmond, W. A.
Reed, E. J.
Rendlesham, Lord
Richard, H.
Ritchie, C. T.
Russell, Lord A.
Rylands, P.
Sandford, G. M. W.
Seely, C.
Sheil, E.
Sheridan, H. B.
Simon, Mr. Serjeant
Smith, E.
Stacpoole, W.
Starkey, L. R.
Sullivan, A. M.
Tavistock, Marquess of
Taylor, D.
Taylor, P. A.
Tollemache, hon. W. F.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Waddy, S. D.
Wait, W. K.
Waterlow, Sir S. H.
Watkin, Sir E. W.
Weguelin. T. M.
Wheelhouse, W. S. J.
Whitbread, S.
Whitwell, J.
Whitworth, B.
Wilmot, Sir J. E.
Yorke, J. R.
Young, A. W.

TELLERS.

Knatchbull-Hugessen, rt. hon. E.
Forsyth, W.

NOES.

Adderley, rt. hon. Sir C.
Allen, Major
Anstruther, Sir W.
Arkwright, A. P.
Arkwright, F.
Assheton, R.
Balfour, A. J.
Baring, T. C.
Barttelot, Sir W. B.
Bates, E.
Bateson, Sir T.
Beach, rt. hn. Sir M. H.
Beresford, Colonel M.
Birley, H.
Blackburne, Col. J. I.
Bourke, hon. R.
Bousfield, Colonel
Bowyer, Sir G.
Broadley, W. H. H.
Bulwer, J. R.
Burghley, Lord
Burrell, Sir W. W.
Cameron, D.
Campbell, Sir G.
Cartwright, F.
Cave, rt. hon. S.
Cecil, Lord E. H. B. G.
Chaine, J.
Christie, W. L.
Churchill, Lord R.
Close, M. C.
Cole, Col. hon. H. A.
Coope, O. E.
Cordes, T.
Corry, hon. H. W. L.
Corry, J. P.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cuninghame, Sir W.
Cust, H. C.
Davenport, W. B.
Denison, W. E.
Digby, Col. hon. E.
Douglas, Sir G.
Dunbar, J.
Dyke, Sir W. H.
Dyott, Colonel R.
Edmonstone, Admiral Sir W.
Egerton, hon. W.
Elphinstone, Sir J. D. H.
Eslington, Lord
Ewing, A. O.
Fellowes, E.
Floyer, J.

Forester, C. T. W.
Freshfield, C. K.
Garnier, J. C.
Giffard, Sir H. S.
Goldney, G.
Gorst, J. E.
Greenall, Sir G.
Hall, A. W.
Halsey, T. F.
Hamond, C. F.
Hanbury, R. W.
Hardcastle, E.
Hardy, rt. hon. G.
Hardy, S.
Harvey, Sir R. B.
Hay, rt. hn. Sir J. C. D.
Herbert, hon. S.
Heygate, W. U.
Hick, J.
Hildyard, T. B. T.
Holker, Sir J.
Holland, Sir H. T.
Hubbard, rt. hon. J.
Isaac, S.
Johnson, J. G.
Kennard, Colonel
Learmonth, A.
Lee, Major V.
Legh, W. J.
Lewis, O.
Lindsay, Col. R. L.
Lloyd, T. E.
Lopes, Sir M.
Lowther, hon. W.
Macartney, J. W. E.
Mackintosh, C. F.
M'Garel-Hogg, Sir J.
M'Lagan, P.
M'Laren, D.
Majendie, L. A.
Makins, Colonel
Malcolm, J. W.
Manners, rt. hn. Lord J.
Marten, A. G.
Merewether, C. G.
Mills, Sir C. H.
Monckton, F.
Montgomerie, R.
Montgomery, Sir G. G.
Moray, H. E. S. H. D.
Mowbray, rt. hon. J. R.
Newdegate, C. N.
Noel, rt. hon. G. J.
North, Colonel
Northcote, rt. hon. Sir S. H.
Onslow, D.
Paget, R. H.
Pell, A.
Pemberton, E. L.
Pender, J.
Peploe, Major
Percy, Earl
Plunket, hon. D. R.
Price, Captain
Raikes, H. C.
Ramsay, J.
Repton, G. W.
Ridley, Sir M. W.
Round, J.
Sackville, S. G. S.
Salt, T.
Sclater-Booth, rt. hn. G.
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Shute, General
Sidebottom, T. H.
Simonds, W. B.
Smith, A.
Smith, S. G.
Smith, rt. hon. W. H.
Spinks, Mr. Serjeant
Stanhope, hon. E.
Stanhope, W. T. W. S.
Stanley, Col. hon. F.
Stanton, A. J.
Starkie, J. P. C.
Stewart, J.
Talbot, J. G.
Taylor, rt. hon. Col.
Thwaites, D.
Thynne, Lord H. F.
Twells, P.
Verner, E. W.
Walker, T. E.
Wallace, Sir R.
Walpole, rt. hon. S.
Watney, J.
Whitelaw, A.
Williams, Sir F. M.
Winn, R.
Woodd, B. T.
Wroughton, P.
Wyndham, hon. P.
Wynn, Sir W. W.
Yeaman, J.

TELLERS.
Gregory, G. B.
Hope, A. J. B. B.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

COUNTY COURTS JURISDICTION (No. 2) BILL—[Bill 102.]

(*Sir Eardley Wilmot, Mr. Forsyth.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Eardley Wilmot.*)

Mr. MORGAN LLOYD, in moving that the Bill be read a second time this day six months, said, it dealt with a subject which could not be properly settled without a very full and careful discussion. The hon. and learned Gentleman was proceeding to criticize the details of the Bill, when——

It being a quarter of an hour before Six of the clock, the debate stood adjourned till *To-morrow.*

MATRIMONIAL CAUSES ACTS AMENDMENT BILL—[Bill 117.]

(*Mr. Herschell, Sir Henry Holland.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 2 (Cost of intervention).

The ATTORNEY GENERAL moved, in page 1, line 7, after "intervene," insert "or show cause against a decree *Nisi;*" in line 9, after "cost," insert "of the Queen's Proctor, or of any other person who shall intervene or show cause as aforesaid, or;" in line 10, after "intervention," insert "or showing cause as aforesaid;" in line 11, after "and," insert "the Queen's Proctor, or any other person as aforesaid, and;" in line 13, after "may," insert "if it shall think fit."

Amendments *agreed to.*

Bill *reported;* as amended, to be considered *To-morrow.*

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

(1.) *Resolved,* That, towards raising the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorised to raise any sum of money, not exceeding £1,000,000, by an issue of Exchequer Bonds.

(2.) *Resolved,* That the principal of all Exchequer Bonds which may be so issued shall be paid off at par, at any period not exceeding five years from the date of such Bonds.

(3.) *Resolved,* That the interest of such Exchequer Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

Resolutions to be reported *To-morrow;*

Committee to sit again upon *Friday.*

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 28th February, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Glebe Loans (Ireland) * (32).
Second Reading—House Occupiers Disqualification Removal (Scotland) (29).

THE EASTERN QUESTION—THE TURKISH FLEET.

QUESTION. OBSERVATIONS.

LORD DORCHESTER: My Lords, I rise to put a Question to the noble Earl the Secretary of State for Foreign Affairs, of which I have given him private Notice. I need not disclaim any intention to embarrass Her Majesty's Government, for I think they are sufficiently disposed to embarrass themselves and the country. But the state of tension of public feeling and opinion is such that I think your Lordships and the public have a right to be informed as to what has occurred in the recent negotiations with Russia, and I am sure that there is no intention upon the part of any Member of your Lordships' House to occasion any embarrassment by desiring to know what are the future intentions of the Government. In rising to put this Question, I wish to call attention to the manner in which the noble Earl the Foreign Secretary is in the habit of replying to Questions put by humble individuals sitting upon the Opposition—and, indeed, on the Ministerial—side of the House. Upon the 7th February I called attention to what, from my knowledge of the Russian character and of the action Russia has often before pursued, not in this only, but in the past, I believed might possibly be a fact—although one which, I believe, is unparalleled in the history of the wars that have been waged between civilized States. I refer to the advance of the Russian Army after the armistice had been agreed upon. There may be some noble and learned Lords in this House, and hon. and learned Gentlemen in "another place," who can tell us exactly the legal position of the matter, and may be able to explain what is the distinction between doing an act after an armistice is signed, and before it is declared; and doing it after the latter formality has been accomplished; but it does seem inexplicable to those who hold, as an Englishman does, that his word of honour is as good as his bond. I wish the same could be said of certain other nations. The evidence of the act to which I referred on the 7th February—this advance of the Russians after the armistice had been signed—was in the possession of your Lordships 12 hours after, and in that of the noble Earl 12 hours before I put the Question in your Lordships' House. Her Majesty's Government is supported by a large majority of the Opposition, not only in this House, but in "another place," and will be so supported in all their acts which tend to maintain the honour and dignity of the country, and its position among European and civilized nations; but I think I have a right to complain that, when the noble Earl was in possession of the information on the evening of the 6th of February, he did not reply to my Question as to the armistice, which I put on the 7th of February. When I repeated the Question subsequently, the noble Earl answered it by reading Papers, to which I shall not now refer, though I shall be happy to hand them over to the Secretary of State for Foreign Affairs for his information as a Member of the Cabinet, if he should not be disposed to study the Parliamentary Papers as fully as many humble individuals in your Lordships' House are in the habit of studying them. Before putting the Question of which I have given the noble Earl Notice, I shall state what I believe to be a fact—that, with the exception of a very small portion of the public, the noble Earl at the head of the Government will find himself thoroughly supported; that he will find many supporters on both sides of this and the other House; and that he will find supporters in every street and almost every house in the country, so long as he upholds the dignity of the country in the manner in which Liberal Prime Ministers have done before him. I beg to ask, Whether Her Majesty's Government are in possession of information as to the position of the iron-clad Fleet of the Turkish Empire; and, if so, whether he can, without inconvenience to the public service, communicate the same?

THE EARL OF DERBY: My Lords, the noble Lord (Lord Dorchester) has put to me a Question of which, as he has said, he gave me private Notice; but he has exceeded the limits of his Notice by prefacing his Question by a complaint to your Lordships of the manner in which I answered, or did not answer, Questions put to me by him on previous occasions. The noble Lord will excuse me for saying that I do not admit that there are grounds for his complaint, and that I am not aware that I have been wanting in respect in answering any Question coming from any Member of your Lordships' House. I may add, that I do not see any very close connection between the Question with which he concluded and the remarks by which he preceded it. With regard to those remarks I am in your Lordships' hands, and I must appeal to your Lordships as to whether I or my Colleagues on this bench have been backward in giving information so far as we could do so without inconvenience to the public service. My impression is that it has very seldom happened on occasions like the present that the Government have been so ready and forward to place before Parliament, and consequently before the public, all the information with which they were provided, and all the materials that would enable them to form a judgment on the position of affairs. Now, I must point out further that the noble Lord has answered his own complaint. He says he asked me for information about a fortnight ago, and that I declined to give it, and that he found it in a Parliamentary Paper presented two or three days afterwards. In that case, I do not think the noble Lord has any reason to complain that he did not get the intelligence he desired to have. What I understood the noble Lord to ask was something which I did not feel in a position to answer. His Question referred, not to a matter of fact, but to a matter of inference—namely, whether certain movements alleged to have been made by the Russian Army subsequent to the conclusion of an armistice had violated the conditions of that armistice. I told him at the time that I did not feel in a position to give your Lordships a precise opinion respecting that matter on the information before me. The noble Lord subsequently pointed to a passage in a public despatch which he thinks is confirmatory of his view. I cannot say that it is not so. The matter is one of opinion and argument, and not of fact; and, being a matter of opinion, the noble Lord had precisely the same material on which to form an opinion respecting it that I have. Now, with reference to the Question with which the noble Lord concluded his remarks, I can answer it to a certain extent. I am in possession of information which I believe to be accurate as to the present position of the greater part of the Turkish Fleet; but I do not think it desirable that I should state it to the House. I will tell your Lordships why. In the first place, it is hardly our business to answer Questions as to the movements of foreign Fleets. In the next place, we have not heard that the terms of peace are signed. The condition of affairs is one of suspended hostilities—it is a condition which we hope will lead to peace; but the war is not at an end, and it is possible that hostilities may be renewed; and in that case I think the noble Lord will be of opinion that he would not have done service to that cause which he is so anxious to promote—the cause of the Turks—if he had induced me to disclose to all Europe, and therefore to those who may be their opponents, the precise position of the Turkish Naval Forces.

LORD DORCHESTER: The noble Earl has, I think, misapprehended me. The Question I put on the 7th was whether the Russian Armies had advanced after the signature of the armistice? The Papers issued show that on February 6 the noble Earl received a telegram from Mr. Layard, stating that the Russian Army had advanced, notwithstanding the protest of the Turkish commanders. I knew nothing of that—as a private Member, I could know nothing of it. My Question was a chance shot, if I may say so—not directed at the noble Earl or Her Majesty's Government, but at the action of a Power whose ambition, whose arrogance, and whose overwhelming autocracy I am anxious to check—["Order!"]—and I must repudiate at once and altogether the suggestion that I am anxious to stand up for the Turkish authorities. [*Loud cries of* "Order!"]

HOUSE OCCUPIERS DISQUALIFICATION REMOVAL (SCOTLAND) BILL.

(*Earl Stanhope.*)

(NO. 29.) SECOND READING.

Order of the Day for the Second Reading, read.

EARL STANHOPE, in moving that the Bill be now read the second time, said, that like a similar one recently passed for England, its object was to prevent the disqualification of voters merely on the ground of their having let their houses for a portion of the year. The one clause of which the Bill consisted provided that after the passing of the Act every man should be entitled to be registered and to vote under the provisions of the 3rd section of the Representation of the People (Scotland) Act, 1868, notwithstanding that during part of the qualifying period not exceeding four months he should by letting or otherwise have permitted the qualifying premises to be occupied as a furnished house by some other person.

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 28th February, 1878.

MINUTES.]—SELECT COMMITTEE—Irish Land Act, 1870, Colonel Taylor and Mr. Fay *added.*

PUBLIC BILLS — *Ordered* — *First Reading* — Grand Jury Law Amendment (Ireland) * [120]; Exchequer Bonds (£1,000,000) * [121].

Second Reading—Judicature Acts Amendment * [91], *debate adjourned.*

Select Committee—Merchant Seamen * [79], Mr. Dalrymple and Mr. O'Shaughnessy *added.*

Committee—Factories and Workshops [3]—R.P.

Considered as amended—Matrimonial Causes Acts Amendment * [117].

QUESTIONS.

NAVY—ROYAL NAVAL ARTILLERY VOLUNTEERS.—QUESTION.

MR. T. BRASSEY asked the First Lord of the Admiralty, If he will lay upon the Table of the House any Reports which have been received as to the conduct and efficiency of the Royal Naval Artillery Volunteers at drill, and when embarked in Her Majesty's ships and gun vessels?

MR. W. H. SMITH, in reply, said, he had called for a Report as to the conduct and efficiency of the Royal Naval Artillery Volunteers from the Admiral Superintendent of Naval Reserves, which he should be very happy to produce if his hon. Friend would move for it.

NAVY—THE REPORT OF THE BOILER COMMITTEE.—QUESTION.

MR. T. BRASSEY, asked the First Lord of the Admiralty, When the final Report from the Admiralty Committee on Boilers will be presented?

MR. W. H. SMITH, in reply, said, the third, and probably, the final, Report of the present Boiler Committee would be issued in about three weeks' time. It was a voluminous document. It had been delayed in consequence of the difficulties in obtaining certain photographs that were to accompany the Report. The Committee terminated with the financial year; but their operations would be carried on by a small Committee of Departmental officers.

PARLIAMENT—THE MUTINY BILL. QUESTION.

MR. PARNELL asked the Secretary of State for War, Whether, in view of the lateness of Easter this Session, he will introduce the Mutiny Bill in time to afford full opportunities of discussing the principle and details of that measure before the Easter Recess?

MR. GATHORNE HARDY: I have to inform the hon. Member that I have no option in the matter. The Act expires on the 25th of April, and I must bring the Bill under discussion before that time.

PARLIAMENT—THE MARINE MUTINY BILL.—QUESTION.

Mr. PARNELL asked the First Lord of the Admiralty, Whether he will cause the Marine Mutiny Bill to be printed before its Second Reading?

Mr. W. H. SMITH: There will be no alterations, so far as I am aware, in the Marine Mutiny Bill this year, and the Bill will therefore be a reprint of last year's Act. Under those circumstances, I trust the hon. Gentleman will not object to the Bill being proceeded with even if it should not be printed before the second reading.

COAL MINES—THE BLANTYRE COLLIERY EXPLOSION.—QUESTION.

Mr. MACDONALD asked the Secretary of State for the Home Department, If his attention has been directed to the Commissioners' Report on the Blantyre Colliery Explosion; whether in view of the fears expressed by the Commissioners in it, he has given any direction so as to obviate the dangers the Commissioners point out; and, whether Government has directed, or is about to direct, any prosecution against anyone whose neglect has in any degree led to that calamity?

Mr. ASSHETON CROSS: Sir, of course my attention has been directed to this very serious question. In regard to the second part of the Question, I have already directed that a copy of the Commissioners' Report shall be sent to every colliery-holder in the district, because there is a paragraph at the end of it to which I think their attention requires to be specially drawn, and their attention has therefore been called to it. I have also instructed the Inspector to call together a meeting of colliery-owners, to consult with them as to the best means to be adopted to prevent accidents in the working of this particular seam of coal, which appears to be a very dangerous one. With regard to the last part of the Question, I agree with the Commissioners that it would not have been desirable to have sued any person in regard to this accident for any small penalty. I, therefore, laid the whole matter before the Law Officers of Scotland, in order to see if any person ought to be proceeded against criminally in this matter. After consideration, the advice I have received is that no criminal proceedings, other than the trival one I have alluded to, could have had a successful issue; and, therefore, I do not propose to take any proceedings at all.

ARMY—THE AUXILIARY FORCES. QUESTION.

Colonel NAGHTEN asked the Secretary of State for War, Whether it is a fact that some officers and men of the Reserve Forces, holding appointments in one regiment, are returned as efficient in other regiments?

Mr. GATHORNE HARDY, in reply, said, that he was not aware that officers or men were returned as efficients in two regiments; but with respect to certain officers in the Militia and the Yeomanry, under special circumstances and special regulations, they were sometimes permitted to act as commandants and field officers in Volunteer regiments.

MALAY PENINSULA—EXPENSES OF THE EXPEDITION.—QUESTION.

Mr. ERNEST NOEL asked the Secretary of State for the Colonies, Whether the expenses of the expedition to the Malay Peninsula, in December 1875, have been adjusted between the Home and the Indian Governments; and, if so, whether it is the intention of Her Majesty's Government to ask Parliament, during the present Session, to vote any portion of such expenses?

Sir MICHAEL HICKS-BEACH: I regret to say that no final adjustment of the accounts of the Malay Expedition in 1875 has as yet been arrived at. The Colonial Government has, I believe, furnished a complete account; but the apportionment of the remaining expenditure has not yet been settled between the other Departments concerned and the Treasury. I fear it is extremely doubtful whether any Vote can be asked for this Session.

PRISONS (SCOTLAND) ACT, 1877—CELL ACCOMMODATION.—QUESTION.

Mr. J. W. BARCLAY asked the Secretary of State for the Home Department, Whether, in carrying out "The Prisons (Scotland) Act, 1877," under which the character of the "cell accommodation" which must be provided by prison authorities is in the discretion of the Secretary of State, he will exact cells of a better description than is required in England, where the "cell accommodation" is determined by the statute of 1865; and whether, to prevent unnecessary outlays, he will state that he will accept cells which have been legalized by the Secretary of State in 1868 and 1872?

MR. ASSHETON CROSS: Sir, I was very anxious when the Scotch Act was passed last year to have laid down definite provisions in the Act itself stating what the space should be; but the Representatives from Scotland entirely declined to have that provision inserted in the Bill. There is no intention of exacting in Scotland anything that is not exacted in England; and, without binding ourselves to say what the cell accommodation shall be in Scotland, I can say that those in Scotch prisons shall be treated with the utmost fairness, as they have been in English prisons. I cannot allow one word in the last part of the Question to pass unnoticed, because no cells can be said to have been "legalized" by the Secretary of State. Some cells have been allowed, but they have been allowed under protest, and I cannot accept that as a standard.

THE EASTERN QUESTION — RUSSIA AND TURKEY—THE TERMS OF PEACE.—QUESTION.

CAPTAIN PIM asked Mr. Chancellor of the Exchequer, Whether he can give an assurance that the British Government will not allow Russia to disturb the "balance of power" in her own favour, either by the seizure of lands in Armenia or the transfer of the Turkish fleet, or by any interference with the Dardanelles; and, whether he can inform the House if any guarantee has been obtained against the occupation of the isthmus of Gallipoli, so as to insure the freedom of movement of the British fleet?

THE CHANCELLOR OF THE EXCHEQUER: With reference to the first Question, I am afraid that the House will be as tired of hearing as I am tired of explaining that we have not yet received any authentic information as to the terms of peace which are being negotiated; and until those terms are known to us, any Question of the character of that asked by my hon. and gallant Friend must necessarily be of a hypothetical character, and, therefore, ought not to be answered. If it should appear that the terms of peace in any way injuriously affect the interests of this country, Her Majesty's Government will take the proper course to vindicate and protect those interests. With regard to the second Question, I can only say that the whole of the engagements that have been made connected with the occupation of the Isthmus of Gallipoli and that neighbourhood have already been laid upon the Table of the House.

INDIA—INDIAN TAXATION.

QUESTION.

SIR GEORGE CAMPBELL asked the Under Secretary of State for India, Whether, since he has laid before this House the views of the Government of India in regard to the imposition of new taxation, he will also produce Papers showing the views on this subject of the Governments of Madras, Bombay, the North West Provinces, and the Punjab, and of the members of the Council of India at home?

LORD GEORGE HAMILTON: If the hon. Gentleman will move for the Papers he requires, I will then consult the Secretary of State for India (the Marquess of Salisbury) as to whether or not those Papers can be laid on the Table of the House; but it is almost impossible for me to be aware what Papers he requires from the vagueness of the nature of his Question.

ARMY CLOTHING.—QUESTION.

MR. W. M. TORRENS asked the Secretary of State for War, Whether his attention has been called to the Report of a Commission appointed by the "Lancet" to inquire into the risks attending the manufacture of Clothing supplied to the Army; and, whether it is not urgent to take other and more effective measures than those at present adopted to detect and prevent the contamination of uniforms, &c., made for the British troops by workpeople who are in contact, or live, with persons suffering from scarlet fever, small pox, or other infectious diseases?

Mr. GATHORNE HARDY, in reply, said, on becoming acquainted with the article in *The Lancet*, his noble Friend the Surveyor General of Ordnance (Lord Eustace Cecil) inquired into the subject previous to the Question being placed upon the Paper. He was bound to say that there appeared to be no apprehension of danger from this cause. Great care was taken, so far as he could ascertain, that in any case where there were infectious diseases in the houses occupied by the workpeople, the clothes were discontinued from being made at those houses; and perhaps when he stated the results it would be seen that there was no great apprehension of danger. During the whole time that these stores had been deposited at Pimlico, among those employed in viewing, packing, and manipulating the clothing, there had only been one case, and that five years ago, of small-pox. In that case the man admitted that he came from a neighbourhood in which the disease was raging. Every care, therefore, appeared to be taken at present; but the medical men had instructions to use every exertion to prevent contact with infected persons.

NEWFOUNDLAND—APPOINTMENT OF MAGISTRATE.—QUESTION.

Mr. A. M'ARTHUR asked the Secretary of State for the Colonies, Whether Her Majesty's Government have made any additional arrangements for the protection of life and property in the less settled parts of the coast of Newfoundland; and, if so, will he state what measures are in contemplation?

Sir MICHAEL HICKS-BEACH, in reply, said, a magistrate had been recently appointed on the west coast of Newfoundland, and, if necessary, a second magistrate would be stationed on that coast. A Vote would be proposed to defray the expense. The protection of life and property and the preventing of disputes among the fishermen would be left, as before, to the Naval Commander of the Station.

RAILWAYS—CONTINUOUS BRAKES.

QUESTION.

Mr. HEYGATE asked the President of the Board of Trade, If he will lay upon the Table of the House any further Correspondence between the Board of Trade and the Railway Companies' Association, showing the steps taken by them for the application of continuous brakes to Railway trains?

Sir CHARLES ADDERLEY: I am daily expecting a long-promised communication on the subject from the Railway Association; and when I have it, and have had time to consider whether any further rejoinder from the Board of Trade is necessary, I will complete the presentation of the whole Correspondence on the Table of the House.

SPAIN—SEIZURE OF THE "OCTAVIA."

QUESTION.

Mr. Serjeant SIMON asked the Under Secretary of State for Foreign Affairs, What progress has been made with reference to the claims against the Spanish Government for compensation on account of the seizure of the "Octavia?"

Mr. BOURKE: Her Majesty's *Chargé d'Affaires* at Madrid was instructed to present these claims to the Spanish Government in the beginning of December. We have not yet been informed of the answer which they have given to Her Majesty's *Chargé d'Affaires*.

BRITISH SUBJECTS AT CONSTANTINOPLE.—QUESTION.

Mr. J. HOLMS asked the Under Secretary of State for Foreign Affairs, Whether the number of persons enrolled as British subjects in Constantinople in 1868 amounted to 459; and, if he will inform the House what the total number of enrolled British subjects was in 1876 and 1877, as well as for 1878, by the latest Returns?

Mr. BOURKE: The number of British subjects registered at Constantinople in 1858 was 459, as may be seen in a Parliamentary Paper, Consular No. 5, presented in 1875. In 1876 the number was 2,264; in 1877, 2,111; and in 1878, 2,620. I am informed that there are in each year at least 800 British subjects at Constantinople who are not registered.

THE EASTERN QUESTION—APPOINTMENT OF LORD NAPIER AND SIR GARNET WOLSELEY TO COMMANDS.—QUESTION.

THE MARQUESS OF HARTINGTON: I beg to ask the right hon. Gentleman the Chancellor of the Exchequer, If he is able to state whether there is any foundation for a statement which has appeared, I believe, in all the newspapers this morning to the effect that the Commander-in-Chief and the Chief of the Staff of an expeditionary force have been appointed; and, if so, whether those appointments have been recently made?

THE CHANCELLOR OF THE EXCHEQUER: It is not correct to say that any appointment has been made. The two officers whose names are mentioned have been selected in case of an expeditionary force being required. They were selected, I think, about 10 or 12 days ago; and Lord Napier was summoned home from Gibraltar in order that he might be in consultation with the military authorities here, and be in readiness if required.

PARLIAMENT—ORDER OF BUSINESS.

THE CHANCELLOR OF THE EXCHEQUER moved—

> "That the Orders of the Day subsequent to the Factories and Workshops Bill be postponed until after the Notice of Motion relating to the Amendment of the Grand Jury Law in Ireland."

MR. KNATCHBULL - HUGESSEN said, he had an appeal to make to the Chancellor of the Exchequer with regard to one of the Orders which were to be postponed, of which he had given previous Notice to his right hon. Friend. He was the last person who would desire to offer any obstruction to Public Business, or to presume to interfere with the manner in which the right hon. Gentleman proposed to arrange that Business. But, as one of the Orders of the Day which it was proposed to postpone was a Bill under his (Mr. Knatchbull-Hugessen's) charge, a legitimate opportunity was afforded for his appeal. The Colonial Marriages Bill had been read a second time on the previous day by a majority in a tolerably full House; but since the adoption by the House of what was called "the half-past 12" Rule, and the unsparing use made of that Rule by the opponents of any measure in the hands of a private Member, there was no chance of his measure being again discussed except by the assistance of the Government. He hoped the right hon. Gentleman would not answer his appeal by stating that the majority had been reduced from that of last year; for the Division Lists showed that so many had voted this year who had not voted last year, that it made a total of 485 Members of the present Parliament who had voted or paired upon the question, of whom 255 had voted for, and 205 against, it. Therefore, the majority of votes obtained in that House in favour of the Bill was 50. There was nothing of a Party character about the measure, yet the Government had upon each occasion earnestly opposed it; and he knew, as a fact, that a certain number of Members who would otherwise have supported it had abstained from voting in order that the Government might not be put in a minority, even upon a non-Party and non-political question. Moreover, in spite of this consideration, and the strong pressure brought to bear upon them, 50 of the habitual supporters of the Government had in that, and the previous year, recorded their votes in favour of the Bill. Now, when a measure which was regarded with considerable interest in the Colonies had twice passed its second reading by a large majority taken from both sides of the House, it was not respectful either to the House or the Colonies that there should be no opportunity given for its further discussion. Most of the objections to it really referred to Amendments which might be made in Committee; and, as owing to the way in which the Business of the House was conducted, it was almost impossible to make real progress with a Bill unless the Government afforded some facilities for it, he appealed to the Chancellor of the Exchequer to endeavour to give, at some early period, an opportunity for the further discussion of this measure. He would bow with submission to an adverse decision of the House, if upon further consideration such decision should be given; but he protested against the message being allowed again to go out to the Colonies, that whilst the British House of Commons admitted by a majority that their grievance was a real one, they could not find time even to discuss the proposed remedy.

Mr. PARNELL wished to know whether the discussion on the Factories and Workshops Bill would be discontinued about 11 o'clock, so as to enable the Chief Secretary for Ireland to make his statement?

The CHANCELLOR of the EXCHEQUER said, his object in making the Motion was that his right hon. Friend the Chief Secretary might make his statement at an hour when his remarks could be fully reported. He hoped, therefore, it would be commenced about 11 o'clock. With regard to the appeal of the right hon. Member for Sandwich (Mr. Knatchbull-Hugessen), he must say he admired the ingenuity of the right hon. Gentleman's calculations, which he hoped might stand him in good stead in finding another day for his Bill. The right hon. Gentleman, however, made rather a bold demand when he based his request on the fact that they were asking on a Government night to postpone other Orders in order that a Government Motion might be brought forward. As the Colonial Marriages Bill was the 10th Order on the Paper, with five or six Government Bills before it, it would have had a small chance of being reached tonight. In the present state of Public Business he could not undertake to find an opportunity for its further discussion.

Sir GEORGE CAMPBELL: With regard to the majority on which the right hon. Gentleman (Mr. Knatchbull-Hugessen) prides himself, his Bill stands in a very peculiar position—namely, that it has been made the subject of a most abominable system of private canvassing of Members of Parliament by paid agents. Pressure of that kind was brought to bear on me; and I told the gentleman who canvassed me that, if I were doubtful about the matter before, his pressure would make me vote against the Bill, and I did vote against it.

Motion *agreed to.*

ORDERS OF THE DAY.

—◦○◦—

FACTORIES AND WORKSHOPS BILL.

(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.*)

[BILL 3.] COMMITTEE.

[*Progress* (*Clause* 66) 25*th February.*]

Bill *considered* in Committee.

PART III.

Administration, Penalties, and Legal Proceedings.

(1.) *Inspection.*

Clause 66 (Certificates of appointment of Inspectors).

Mr. PARNELL moved, in page 33, line 9, to leave out "if required." The clause, said the hon. Member, provided that an Inspector, on applying for admission to any house or factory or workshop should, if required, produce to the occupier his certificate of appointment. It would, he thought, simplify matters very considerably if, in all cases, the Inspector's duty should be to produce his certificate or the warrant by virtue of which he claimed admission. The uniform adoption of such a course would save much trouble, inconvenience, and possibly opposition on the part of the occupiers of the houses sought to be inspected. The absolute knowledge that the visitors were Government officials would procure for them much greater freedom of access and fuller facilities for performing their duties than would otherwise be the case. The occupiers of private houses in poor localities might be inclined to resist unless the Inspector produced his authority as a matter of course.

Mr. ASSHETON CROSS contended that the Amendment was altogether unnecessary, although he admitted there was something in what the hon. Member for Meath had advanced. No one could wish less than he did to invade the privacy of private houses, and he should therefore be prepared to move the insertion in a later clause of words to provide that no Inspector should visit a private house without first obtaining a written authority from the Secretary of State, or a warrant from a magistrate obtained on a sworn information. This, he thought, would remove the whole difficulty, as no magistrate would grant a warrant of entry without having been first satisfied that there were reasonable grounds for so doing—in other words, that there was reason to suspect the manner in which the business carried on in such houses was being conducted.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

(2.) *Certifying Surgeons.*

Clause 67 (Appointment of certifying surgeon).

DR. WARD moved, in page 33, line 29, after "workshop," to insert—

> "Provided always, that these shall not apply to the case of a person who is a shareholder in a public company."

He thought it was a recognized principle with regard to all boards that persons should not be ineligible to sit upon them because they might happen to be interested in certain patented processes carried on by such boards, and which were the property of limited liability companies. For instance, if the clause were accepted as it stood in the Bill, many surgeons in the Midland and Northern manufacturing districts would be disqualified for acting as certifying surgeons because they were interested in the processes which had been patented by Mr. Bessemer and other patentees.

MR. ASSHETON CROSS said, he could not accept the Amendment. The clause would not prevent any surgeon from being appointed in the district in which he practised. It would only debar him from certifying in reference to children engaged in the particular factory in which he was himself personally interested.

MR. GRAY supported the Amendment on the ground that the clause was so widely drawn as to be easily susceptible of misinterpretation and abuse.

MR. GORST thought hon. Members opposite were unduly alarming themselves. As the right hon. Gentleman the Home Secretary had pointed out, the effect of the clause would simply be to preclude a surgeon from certifying in reference to a factory in which he had a direct personal interest.

MR. MACDONALD opposed the Amendment, remarking that the clause as drawn would act not only as a protection to the public, but to the medical men themselves. He felt bound to state to the House that he only a few days ago thought the Medical Profession was hardly dealt with. From one of themselves he had the illusion fully dispelled; and he would, therefore, vote against the Amendment.

MR. MUNDELLA pointed out that a large proportion of the cotton mills in the North of England were in the hands of limited liability companies, and much jealousy would naturally be occasioned by a surgeon who was a shareholder certifying as to the fitness of "half-time" or "full-time" children employed in what was, to a certain extent, his own factory.

Amendment, by leave, *withdrawn.*

MR. LEWIS STARKEY said, he had no intention of moving an Amendment in the clause; but as it was the first one in the Bill which directly proposed to deal with the appointment of certifying surgeons, he wished to say a few words concerning it. He wished to guard himself against saying anything in opposition to the way in which the certifying surgeons had done their duty, because he was fully mindful of the great interest which they had taken in carrying out the provisions of the Factory Acts—an interest which had rendered the country deeply indebted to the Medical Profession as a body. His own opinion was that the certifying surgeons ought to be put on the same footing with Factory Inspectors, both with reference to their appointments and the remuneration attaching thereto. He wished them to be just as much Government officers as the Inspectors, and they ought to be treated in the same way. As the House well knew, the appointment of certifying surgeons was in the hands of the Chief Inspector of Factories, and he should be the last man to find fault with the way in which that official had administered the patronage he had to bestow; but he could not help thinking that the amount of such patronage was too large to be in the hands of any permament official, and he should much prefer to see it under the control of the Secretary of State for the Home Department. The only excuse he could see for calling upon the factory owners, and to some extent upon the operatives, to defer the cost of the examinations and the consequent certificates, was that such had been the custom in times past. His own view of the payment so made was that it was an unjust tax, and that as the certificates were granted and required much more in the interest of the public than of the employers the public should bear the cost of them. He should not move an Amendment, because, cordially approving of the general principle and scope of the Bill, he understood that the principle contained in the clause was regarded by the Home Secretary as vital to the measure. He must, however, express his hope, which was also the hope of the manufacturing population in the North of England, and of the Associated Chambers of Commerce—as expressed at their meeting on the previous day—that the Home Secretary would speedily be able to see his way to removing what was practically a heavy tax upon the employers of labour, and upon the operatives themselves.

Mr. HUTCHINSON pointed out that the duties of these certifying surgeons were of the nature of those performed by sanitary Inspectors. The surgeons were employed in the public service; and ought, therefore, to be paid out of the public funds, instead of by persons who did not ask for their appointment, and the payment by whom constituted a tax upon a particular and special section of the community. It was also worthy of remark that the appointments as now made took much of a political character. It was true that on paper there existed a power on the part of the millowners to obtain repayment from the parents of a proportion of the fees paid; but, as a matter of fact and experience, he could safely say that any attempt to obtain such repayment would inevitably result in their being withdrawn from work in that particular factory.

Clause *agreed to.*

Clause 68 (Regulations as to the grant of certificates of fitness).

Dr. CAMERON said, that whereas the existing law enacted, in order to prevent personation, that every child or young person taken to the house of a surgeon for examination should be accompanied by some responsible person, no such provision was contained in the present Bill.

Mr. LYON PLAYFAIR said, he should move, as an Amendment to the clause, in page 34, line 1, to leave out "ten" and insert "five" as the number of children who must be taken for examination to the residence of a surgeon instead of being examined at the factory or in the workshop in which they were employed. Mr. Leonard Horner, who laid very largely the basis of the present system, was strongly opposed to examination away from the factories—on the ground, mainly, that it tended largely to personation, imposition, and the making of false statements, the falsehood of which could not be detected. Nevertheless, it was found, that there were many small factories in which a less number of children than five were employed, and it was provided that in such cases they might be taken to the residences of the certifying surgeons for examination. He had no objection to the law remaining in the same condition; but he strongly objected to the number being increased to 10. This would be a very serious innovation, and in some towns—Wolverhampton, for instance—would include from half to two-thirds of all the factories and workshops in the place. He would point out, further, that if the surgeon went to the factory in the discharge of his duty he received a small but reasonable fee of 2*s.* 6*d.* per child; but if the children were taken to him, he was only entitled to 6*d.* for each one examined. Did any hon. Member ever hear of such a fee for the services of a professional man? If he sent his horse or dog to be examined by a veterinary surgeon, he had to pay a fee ranging between 5*s.* and 10*s.* 6*d.*; but a surgeon would, under the provisions of this Bill, have to examine a child and give a certificate for a miserable fee of 6*d.*

Mr. ASSHETON CROSS said, that 10 was the number recommended by the Royal Commission; but, after long and careful consideration, he had arrived at the conclusion that five was a sufficiently extensive limit.

Lord FREDERICK CAVENDISH expressed his regret that the Home Secretary had accepted the Amendment, because he scarcely thought that the House was aware of the heavy tax which it would impose on a large number of small employers. They must bear in mind that the new definition of a factory would henceforth be any place where steam or water power was used, and there were few handicrafts or employments in which steam was not either in present use or would not be used in the course of a very few years. With the new definition of a factory it had become absolutely necessary to accept an Amendment, of which Notice had been given by his hon. Friend the Member for Roscommon (the O'Conor Don), to make dispensary and Poor Law doctors certifying surgeons throughout the country, as otherwise the burden that would be imposed would be found in a short time to be quite intolerable.

MR. MUNDELLA confessed that he, too, was surprised to hear the Home Secretary so readily assent to the Amendment. The examination of a child had been described by the right hon. Gentleman the Member for Edinburgh University (Mr. Lyon Playfair) as something similar to that of a horse or a dog by a veterinary surgeon, and he gave the cost in each case. The right hon. Gentleman must know that the circumstances of the two cases were altogether different, and that, in changing the age at which a child might be employed under this Bill, they had completely altered the duties of the certifying surgeon. Formerly, a child might be employed half-time in a mill at eight years of age, and the surgeon had then to certify whether that child was strong, and able, and fit, in all respects, to be employed to that extent. But the age had now been raised to 10 years, and all that the surgeon had to do was to certify that the general appearance presented was that of a child of 10 years, and that the child might go to work in a factory for half-time. Then, they had raised the age for full-timers from 13 to 14 where the child had not passed the educational standard. Further, by this Bill, they were prohibiting the employment of children at all in certain factories, so that, to some extent, the necessity for a surgical examination had entirely passed away. Let him mention a case that came under his notice very recently which bore upon this point. The certifying surgeon of the town of Sheffield died a few months ago. He had been accustomed to charge the grinders 6*d.* for going to their wheels and certifying the children there. When the post became vacant, some of the best medical officers of the town were exceedingly anxious to obtain it; and this, he ventured to say, would always be the case if the clause were left as it was. He could explain why the whole of the large works of England contracted with the surgeons. A surgeon was paid so many guineas for calling round to see whether there were any children to be certified, and whether there were or not, he received his remuneration at the end of the year. But now every grinder in Sheffield—the man who only rented one wheel, and who had his boy to perform his errands or assist him in the shop, would be required to have a certificate, and so it would be in all the minor industries of England. The pressure of this Bill would fall upon the minor industries if the certificate were made to stand at 2*s.* 6*d.*, on the terms prescribed by the Bill, except the number stood at five, or, instead of 10, they extended the area of the measure and raised the ages. Therefore, he hoped that when they came to the next clause, fixing the rate of remuneration to the surgeon, the Home Secretary would not under any circumstances consent to omit "five." The observations of the right hon. Gentleman the Member for Edinburgh University (Mr. Lyon Playfair) were directed more particularly to that clause. The right hon. Member argued that it was ridiculous to award 6*d.* for each person after the first five examined when the clerk of the peace received 1*s.* for a copy of a conviction. The clerk of the peace, however, had to turn over his books in order to ascertain the date of the conviction and make out his certificate. But really this was not a case where a surgeon prescribed for children; he merely took their general appearance. Having seen children examined for a number of years past, he could say that half-a-dozen children were examined and passed in almost as many minutes, and it was not at all the delicate and difficult business which his right hon. Friend had described, though he was willing to bear his testimony to the admirable manner in which the certifying surgeons performed their duty.

MR. NEWDEGATE said, that the Bill was intended to comprise employment in small workshops, in which he had known children to have been employed so as very injuriously to affect their health. Therefore, he thought that if the Committee were disposed to interfere further with the employment of labour, it was essential that it should do so on the ground of preserving the health of these young persons. The certificate should be one with respect to the health and bodily fitness of the children, or really it was not worth having, and the House should not insist upon such certificates unless the remuneration was adequate to the exercise of the professional skill required.

Dr. WARD reminded the Committee that the proper working of this Bill would depend very much upon the medical certificates to be granted under it. The House had already passed several Acts, amongst them being the Irish Sanitary Act, which depended greatly upon the manner in which the medical work was performed. But the House had never settled, or tried to settle, anything like a fair remuneration for those upon whom depended the proper carrying out of the intention of Parliament. And what was the fact? That the Irish Sanitary Act, owing to the want of fair remuneration having been provided, was becoming a dead letter. That was exactly what was likely to occur in this instance. The hon. Member for Sheffield (Mr. Mundella) had made the most extraordinary statement that he had ever heard made in that House. Almost in one breath he had told them that the doctors performed their work in a most perfunctory manner—["No, no!"]—the hon. Member had told them that doctors passed half-a-dozen children in as many minutes, and yet the next moment he thanked them for the admirable manner in which they performed their duties. But that was the way in which he (Dr. Ward) believed that this work would be done. Medical men could not, any more than the members of any other Profession, afford to do work without being paid a fair remuneration. The noble Lord the Member for Yorkshire (Lord Frederick Cavendish) had expressed his regret that the Home Secretary had acceded to the Amendment; but the fact was, that although it might bear hard in some cases, he was told by surgeons, who had had a large experience of factories, that if the word "ten" were adhered to, three-fourths of the factories at present under inspection would be practically excluded, that all manner of personation would be resorted to, and that, in fact, the Act would become a nullity so far as the protection of the children was concerned. If a medical man did his duty fairly under this Bill, particularly as regarded children of the age of 13, who were to be allowed to work full-time, he would have to devote both time and skill to it. For these reasons, he hoped that the Home Secretary would persevere in the intention which he had announced.

Mr. FIELDEN was very glad that his right hon. Friend had agreed to the Amendment. What they should aim at was to get as certifying surgeons the best surgeons in a district, and he did not believe that they would secure them if they raised the number from five to 10, because it must be disagreeable to the most eminent medical man in a place to have these children coming to his house. Moreover, he agreed with the right hon. Gentleman opposite (Mr. Lyon Playfair) that it was important that children should be certified at the factories.

Mr. LEWIS STARKEY could not agree with his hon. Friend who had just sat down. He must express his extreme regret that the Home Secretary had yielded on this point. He had consented to withdraw an Amendment which he had placed upon the Paper, thinking that, perhaps, as far as the certificates were concerned, it was unjust and might prove inconvenient if the certifying surgeons were compelled to examine young persons and children at their surgeries or houses without some restriction as to number. But so much had been said by his right hon. Friend about the inexpediency of altering the Bill, that he certainly was led to believe that he would not consent to the number 10 being struck, out and five inserted. He should most strenuously oppose the raising of the fee when they came to the next clause, which might, to some extent, meet the case. With regard to the remarks of the right hon. Gentleman, the Member for Edinburgh University (Mr. Lyon Playfair) and other hon. Gentlemen, he wished to say that although the fee paid to the surgeon might appear small, yet there were many advantages connected with this office. They were, for example, brought in contact with a variety of people, which frequently brought them private practice that they would not otherwise obtain.

Amendment *agreed to.*

On Question, "That the Clause, as amended, stand part of the Bill?"

MR. HOPWOOD said, he wished to ask the Home Secretary a Question. He did not see in the case of a certifying surgeon refusing to grant a certificate, and his reasons for so doing being deemed unsatisfactory, any mode by which his decision might be appealed against on behalf of the child. He did not wish to cast any doubt on the anxiety of the majority of medical men to do their duty; but it was possible that it might be done capriciously in some instances, and that it might have a very vexatious effect on a child's after interests. Had the right hon. Gentleman considered whether it was not possible to afford some ready means of appeal to an Inspector or other officer?

MR. ASSHETON CROSS replied that there was no appeal except to the Secretary of State, who had authority over the certifying surgeon, and who might nullify his appointment if he saw good grounds for doing so.

Clause, as amended, *agreed to.*

Clause 69 (Fees of certifying surgeons for examination of children and young persons).

DR. CAMERON moved, in page 34, line 16, to leave out "five" and insert "person." He explained that the object of the Amendment was to leave the fees of the certifying surgeons as they were at present. He did not propose any increase, nor, as far as he was aware, was any increase in the fee of the medical gentlemen proposed by the Amendment last before the Committee. In the Act of 1844 provision was made that the certifying surgeons and the occupiers might agree as to the amount of the fees; and in the event of their failing to arrive at such agreement, the occupier was empowered to apply to the Inspector of Factories to recommend the fee—a table of fees being laid down in the Act. The same thing occurred in the Act of 1845. But in the Act of 1867 no provision of this sort was made, and the consequence was that a number of certifying surgeons took advantage of the opening thereby afforded to charge exorbitant fees. Although under the Act of 1867 no power was given to the Inspector of Factories to regulate these fees, or to state what the maximum fee should be, the then Inspectors were so frequently appealed to that they issued a Circular which had had, he believed, throughout the greatest portion of the country, the effect of law ever since. In that Circular they explained that, under the circumstances which he had described, being very frequently appealed to, they would recommend a scale of fees which they said would be fair to all parties—namely, for one certificate 2*s.* 6*d.*, and 6*d.* for each certificate in addition when more than one was granted. His Amendment, if carried, would leave matters standing as they were under this regulation of the Factory Inspectors. If the Bill should pass in its present form, its effect would be materially to cut down these fees. He thought that there could be no dispute about wages having vastly increased since 1844 in all departments of life; and after a number of gentlemen had made an arrangement on the faith of the continuance of a bargain, sanctioned, if not by the law, at least by the officers who administered the law, he thought it would be an unjustifiable interference with what he might call vested rights if the fees of those gentlemen were now to be remodelled in a manner adverse to them without any reason being given for such a course. He was perfectly certain that if they were dealing with publicans instead of professional men such a proposal would not be supported for one moment. He understood that he should be told that in certain portions of the country—in Lancashire and Yorkshire—the fees contained in this Bill had all along been adopted; but the fact that they had been voluntarily adopted in a small portion of the country was no reason why they should now be imposed over the entire of the United Kingdom.

Amendment proposed, in page 34, line 16, to leave out the word "five," in order to insert the word "person."—(*Dr. Cameron.*)

Question proposed, "That the word 'five' stand part of the clause."

MR. ASSHETON CROSS said, he must object to the Circular of the Inspectors being referred to; because, although it was quite true that such a Circular was issued in some parts of the country, it certainly created no vested interest anywhere. The real fact was that the occupier of a factory made his bargain with the certifying surgeon, and there was no vested interest. And he was bound to say that, under this Bill, certifying surgeons would probably receive more fees, because the word "factory" was now very much extended, and persons who had never hitherto presented themselves to a certifying surgeon would now have to do so. Therefore, he would receive under this Bill many more fees than he ever received before. He was also bound to say that, although he had nothing whatever to do with the appointment of certifying surgeon, yet so many people had written to him asking for the post that he was quite sure there was a very great desire for some reason or other on the part of medical men to hold this office. He found that there was no necessity to raise the fees in order to get gentlemen to fill the appointment, and, therefore, he hoped that the Committee would refuse to agree to the Amendment.

Mr. LYON PLAYFAIR thought that before the Committee decided against the Amendment they ought to consider it a little, because it was exceedingly important. They were told that this was chiefly a Consolidation Bill intended to keep the law as it was. The present law admitted that any doctor might go and make a contract with the occupier just as he wished. That was to remain; but the Amendment had reference to cases in which the occupier did not do so—cases, for instance, in which there might be fewer children, and the occupier would not think it worth while to make a contract. The Home Secretary had said that these were appointments which were very largely sought after, and no doubt the best of them were. He found that 167 certifying surgeons just now received sums ranging from £50 to £500 a-year from this occupation. There were 445 certifying surgeons who made not more than £20 a-year by this branch of their Profession; and by far the larger portion of the whole Profession so engaged made very small amounts by certifying children engaged in factories. All he wished to impress upon the Committee was, that by accepting the number of five, they were for the first time establishing a 6*d.* fee, to be paid to surgeons; for 2*s.* 6*d.* for five examined was really 6*d.* for one; while the existing law was to pay 2*s.* 6*d.* for the first, and 6*d.* for each case after the first. It was clear, therefore, that the Committee was asked, by means of a Bill said to have been introduced mainly with a view to consolidation, to make a radical change in an existing law which had worked very well.

Mr. MUNDELLA hoped the Home Secretary would stand firmly by his proposal as it stood in Bill—in the first place, because the fees proposed to be paid were those originally fixed by the Acts of 1844 and 1868; and, in the second, because the burden of the payment would fall chiefly upon individual workmen and small manufacturers. Instead of complaining, the surgeons ought gladly to accept the proposal of the Government, inasmuch, as by causing many more children to be examined than heretofore, the fees received by the surgeons would be increased. The post of certifying surgeon was not only an honourable one, but it was far from being an honorary post; and it was, at all events, one which surgeons of high position in their Profession aspired to. The change, if made, would not affect the manufacturers who employed large numbers of children, because they contracted with the surgeons to conduct the examinations. It would only injuriously affect those small manufacturers who employed, say, half-a-dozen children.

Dr. WARD said, the hon. Member for Sheffield (Mr. Mundella) must be labouring under some mistaken notion. The proposal contained in the Bill was a distinct alteration of the laws laid down by the Government Inspectors themselves, and was by no means a keeping up of the old system. If the custom to which the hon. Member referred was practised in Sheffield, it was not in other parts of the country. He had in his possession a Circular issued by Messrs. Redgrave and Baker, Her Majesty's Inspectors, fixing the fees on a scale totally different from, and considerably higher than, that set forth in the Bill. On the scale which was laid down by the Inspectors, the surgeon would receive 2*s.* 6*d.* for the first child examined and certified, and 6*d.* for each succeeding one, or 4*s.* 6*d.* for the examination of five children, and not 2*s.* 6*d.*, as was now proposed. Notwithstanding this fact, the hon. Member for Sheffield maintained that the fees were to remain the same. If the Bill was passed in its present form, as far as this particular branch of it was concerned, what had been hitherto a fairly lucrative employment for surgeons in the large towns, would cease to be so, and a very inferior class of men would consequently be found applying for the appointments. The proposal was neither more nor less than an attempt to take away fees now paid in many parts of the country, and paid in the spirit of the Acts of which the present Bill was said to be a mere consolidation.

MR. ASSHETON CROSS said, it was quite true that the Inspectors had a right to fix the fees in some of the country districts, where the cases were comparatively few; but the Inspectors could alter such special rates whenever they pleased. The Circular which had been referred to was issued at a time when it was found difficult to put some of the surgeons on the same footing they had occupied for years and years before.

MR. W. HOLMS supported the proposition of the hon. Member for Glasgow (Dr. Cameron), believing that no necessity existed for altering the law from its present form. Under existing circumstances, the certifying surgeons were fairly well, but not extravagantly, paid. There was a time when the appointments were eagerly sought after by leading men in the Medical Profession; but that time had, to a great extent, passed away, by reason of the fact that large districts had been very much subdivided, and so the competition which formerly existed had to a large extent ceased in the great centres of industry. Medical men did not seek these offices so much on account of the emoluments they directly derived from them as for the connection they brought, and the private patients that were thereby added to their lists.

LORD FREDERICK CAVENDISH said, it was, doubtless, true, as had been stated by his right hon. Friend (Mr. Lyon Playfair), that a considerable number of certifying surgeons, as such, only made but small incomes; but it was equally true that they did very little work, as the payments made were calculated and based upon results.

MR. LYON PLAYFAIR said, the low fee of 6*d*. might be perfectly fair in large factories or in cases where the manufacturers contracted for examination and certification; but it was manifestly unfair and very hard where a district was wide, and the number of children employed was small.

MR. GORST hoped the Amendment would not be pressed. He was inclined, he said, before hearing what had been said on the subject, to give a very liberal interpretation to the wishes of the surgeons; but when he heard that surgeons of high standing were found eagerly competing for the appointments on the terms contained in the Bill, he could not see that Parliament had any right to tax either employers or employed more highly in order to pay more than plenty of professional men were ready to do the work for. The 5th sub-section of the clause empowered the Home Secretary, from time to time, if he thought it expedient, to alter the scale of fees; and he had no doubt that the power so given would be used in country districts where the factories were small, and the sums to be earned were therefore very low, in order to secure the services of efficient and proper officers.

DR. BRADY said, the hon. and learned Member for Chatham (Mr. Gorst) must know perfectly well that there was not an officer in the State, from that of the Prime Minister downwards, that would not be eagerly taken by someone or other at a much lower rate of pay than at present attached to it. But the question important to be considered was as to the fitness of the persons seeking election. With regard to the Medical Profession, the mistake had always been made of fixing the fees at too low a rate. When the Bill for compulsory vaccination was passed a majority in that House were in favour of the payment of low fees, and what was the result? Vaccination failed, and became highly unpopular in consequence, and it became necessary to pay larger fees in order to get the vaccination properly performed. The hon. Member for Sheffield (Mr. Mundella) seemed to know very little about the subject, and to be lamentably ignorant as to the qualifications necessary to be possessed by a competent surgeon. It was necessary, in the first place, that they should be Licentiates of the Apothecaries Company, and so fitted properly to dispense medicines; they must also pass a strict examination at the College of Surgeons; and, in addition to this, many of them were voluntarily graduates of one of the Universities. And yet these were the men whom it was proposed to pay by 6*d.* fees. He thought the wisest course for the Home Secretary to take would be rather to increase than to diminish the fees paid, and so to secure the health and well-being of the younger children employed in factories.

MR. HERMON thought the certifying surgeons should be content to take the rough with the smooth in matters of payment and profit as other persons had to do. Those who asked that the fees should be raised were met by the unanswerable argument of the Secretary of State, that the services of some of the best men in the Profession could be secured for the rate of payment laid down in the Bill.

MR. MUNTZ could not understand why the Amendment had been moved, except it was purely and simply for the benefit of the Medical Profession. The duties of certifying surgeons were not heavy if the pay was not large. A surgeon had five or six children brought before him, and he passsd them almost *en bloc.* If any of the children struck him as being small and delicate, he examined them a little more closely; but, as a general rule, the examination was very superficial.

SIR ANDREW LUSK pointed out that while the Bill provided penalties for employers and parents who did not get the children examined, there was no penalty laid down for the surgeon in case he failed to perform the duty enjoined upon him by the Bill. He thought this required seeing to.

MR. ASSHETON CROSS said, he thought the surgeons would take it as a matter of absolute duty affecting their credit to carry out the provisions of the Act. If they did not do so the Secretary of State would have power of instant dismissal, and an occurrence of the kind could not fail materially to injure a surgeon's reputation among the people of the neighbourhood in which he practised.

MR. MACDONALD supported the Bill, remarking that the present moment was very inopportune for raising by law the salaries or fees of any branch of State officials, inasmuch as the wages of the working classes were going steadily downwards, while their expenses were proceeding in an inverse ratio. He was informed that they could pass 30 children in half-an-hour. Were this so they were well paid and should let well alone.

MR. O'SHAUGHNESSY supported the Amendment. His main reason for doing this was in order that the medical officers should be induced not to conduct their examinations in the perfunctory manner which almost inevitably resulted from the payment of a mean and inadequate fee. A good deal had been said about first-class men applying for these appointments, but he did not attach much importance to the fact. He thought that for duties of the kind contemplated by the Bill, they were likely to get better work out of young men who were just struggling and rising in their Profession, than from men who were at the top of the tree, or who had grown so old in the Profession as to have lost much of their vigour.

MR. BIGGAR said, he should vote against the Amendment. Medical men were much the same as lawyers. When questions of fees arose in the House the lawyers stood up for their class, and the doctors for the members of their own order. He knew doctors in very great practice who acted as certifying surgeons in the Belfast factories, and he saw no reason why the fees should be increased as long as they could get the services of thoroughly good men for the fees offered. No doubt medical men had to get diplomas at the outset of their professional career; but it was also equally beyond doubt, that many men forgot much of what they had learned, and became practically useless, notwithstanding their many diplomas.

SIR SYDNEY WATERLOW saw no reason for adopting the Amendment which had been proposed. He thought a 2*s.* 6*d.* fee for the first child, with an additional 6*d.* for each subsequent one examined was ample; but, as he understood the matter, it was proposed to exact a fee of 2*s.* 6*d.* for each one.

DR. CAMERON said, he could not withdraw his Amendment. He did not propose to alter the amount of the fees paid, but to leave them as fixed after the Act of 1871.

Question put.

The Committee *divided:*—Ayes 223; Noes 54: Majority 169.—(Div. List, No. 36.)

LORD FREDERICK CAVENDISH thought some limit ought to be put to the distance which a surgeon must charge for travelling for the purpose of examining and certifying children. As the clause stood, it would enact that the surgeon might charge an extra 6*d.* for each half-mile completed beyond a certain limit. This might become a very heavy charge in some districts where, for instance, a surgeon might have to travel 10 or 12 miles to examine the children employed in a remote mill driven by the water of a mountain stream.

SIR ANDREW LUSK agreed in principle with the noble Lord, and moved, as an Amendment, to leave out the words "half-mile" in order to insert "mile."

MR. ASSHETON CROSS hoped the Amendment would not then be pressed, as on the Report he should be prepared to propose a limit.

Amendment, by leave, *withdrawn.*

DR. WARD thought some protest ought to be entered in regard to the payment of surgeon's fees, and moved, as an Amendment, that "one shilling" be substituted for "sixpence" in the sub-section. He had been assured by practical men of large experience that in many cases the surgeons preferred to do the work for nothing rather than take so mean a fee. He could not see why the House should consent to fix the fee at so contemptible a rate that no respectable practitioner would accept it.

MR. ASSHETON CROSS hoped the Amendment would not be accepted; but did not think it necessary, after what had been said, to go again over the whole ground of the fees to be paid.

MR. LYON PLAYFAIR hoped his hon. Friend would not divide upon his Amendment. It had been said that the fee was so mean few surgeons would accept it; but, on the other hand, very few of them were asked to do so; because, owing to the inconvenience attaching to it, very few children were taken to the houses of the surgeons. Practically, the matter was one more of sentiment than of real grievance, and he hoped the Amendment would not be pressed.

MR. KNOWLES said, that as far as his experience went, he seldom knew the 6*d.* to be refused; it was not only expected, but paid and received. The advantage gained by these certifying surgeons was not direct, but indirect and extensive. The right hon. Member for the University of Edinburgh (Mr. Lyon Playfair) had contrasted the charge for examining a horse or a dog with that for examining a factory child, but the cases were not parallel. The man who certified the child got introduced to other business; horses and dogs could not introduce patients to the veterinary surgeons who examined them.

MR. NEWDEGATE thought it scarcely fair, in calculating a scale of fees, to consider the nature of the indirect advantage which a surgeon might or might not gain from holding a particular appointment. The proper course to take was to pay the gentleman what his services were really worth.

DR. CAMERON hoped the hon. Member (Dr. Ward) would not divide, although there was something to be said in favour of his proposal. It might, for instance, be useful to raise the fee from 6*d.* to 1*s.*, in order to check the practice of sending children to the residences of the surgeons, and so opening the door to personation, imposition, and falsehood.

MR. M'LAREN remarked that if a surgeon advertised, as he must advertise, that he would be at home once a-week or once a-fortnight, it was scarcely conceivable that only one child would come. If five, or 10, or 20, there would be 6*d.* each for them. The first fee was 2*s.* 6*d.*, but if a second child was examined, the fee was 3*s.*; so that, in reality, he thought a fee of 6*d.* was not likely to occur once in three months.

DR. WARD said, that in deference to the feeling of the Committee, he would not press his Amendment; but so many men were ready to take these situations, on account of the good things they would bring them, that he feared they might neglect their duties.

Amendment, by leave, *withdrawn.*

MR. BIGGAR said, he had been asked to move an Amendment in favour of surgeons, and of their payment for attendance in court for examination as witnesses, as he was told that in some cases payment was refused by the tribunal. His proposal was, that when medical men were called upon to attend a court of justice, they should be entitled to a fee of 10*s.* for attendance, together with the expense of travelling, such fees to be considered as costs in the cause. The practical result of the uncertainty in respect of fees was that in a great many cases medical men neglected to attend courts of justice, and the effect was that a miscarriage took place, and justice was not administered as it ought to be. The fee he proposed was not an extravagant one, but would be a reasonable offer. In other cases a medical man could make his own time; but when he was in court as a witness, he must make his other arrangements suitable to the time at which he had to appear. So he thought the sum he had named was not an unreasonably large one, and should be agreed to by the Committee. One pound, instead of 10*s.*, would be only reasonable.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) said, the hon. Member could scarcely have had before him the true state of the law. The law said at present that for proper attendance in court a medical man was entitled to certain fees; and the Amendment, instead of being in favour of, would be against, medical men. There was no such thing as "costs in the cause." Such a phrase had no meaning as applicable to a criminal case. The hon. Member had mixed up two things. In the present state of the law, if a medical man was properly there, he was entitled to his fees. The officer of the court made out what the medical man was there for, and apportioned the proper amount of fee.

MR. BIGGAR observed that certainly the law had been administered in such a way that the medical officers could not get the fees to which the Solicitor General said they were entitled. He did not dispute that the medical men were entitled to these fees; but in some cases they had not got their fees. This had probably happened when they had been subpœnaed as witnesses by the Inspectors, who had no authority to ask for their expenses. He knew, of his own knowledge, that some medical men in the past refused, as far as possible, to go into a court of justice at all, simply because it was uncertain whether they would get any fee for their services. Now, he thought it was fair that medical men should have a reasonable fee. Whether it should be a fixed sum or not he did not mean to argue.

SIR ANDREW LUSK pointed out that medical men had not to serve on juries in any way as many other men had to do; besides, all of them had to do a great many things for which they were not paid. He would advise the hon. Member not to press this Amendment, because many things with reference to exemption might be brought to light.

SIR PATRICK O'BRIEN remarked that the Solicitor General had asserted that a medical gentleman would be paid for if wanted in a court of justice; but the hon. and learned Member had not stated that if a subpœna was served on a medical gentleman he must attend; and, if he followed the hon. and learned Gentleman, it would be for the surgeon to say whether he was likely to be wanted or not. A surgeon received a subpœna, and was not informed exactly of the evidence he had to give. He was brought a considerable distance away from his patients; and then, when it was found by the proper officer that his evidence was not requisite, he was not to be paid, forsooth, because his services were not required. Perhaps he might afterwards be told that the evidence he would have given was not germane to the indictment. If this doctrine were correct, it was the witness who was to be the judge as to whether he was obliged to obey the subpœna. He trusted such an opinion would not be uttered by a legal Gentleman in that House again.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD): I never meant to say that it depended on the cogency of his evidence. It depended on his being there under legal process.

DR. CAMERON trusted the hon. Member would not substitute "ten shillings" for "one pound." If he did, the effect would be to cut down by one-half the fees paid to these witnesses.

Amendment *negatived.*

In reply to Mr. FRESHFIELD,

MR. ASSHETON CROSS said, that due care should be taken on the Report that the surgeons should be properly paid for the examinations they made.

MR. MEREWETHER did not think any question could arise as to that, because it was already provided that 2*s.* 6*d.*

should be paid for each visit, and 6*d*. for each person examined.

Clause *agreed to.*

(3.) *Miscellaneous.*

Clause 70 (Notice of factory to be given to inspector).

MR. M'LAREN pointed out that it was complained in Glasgow that the Inspectors there were invisible. They purposely concealed their residences, and no one could get to them. Some words should be inserted to the effect that the Inspectors should give their addresses, in order that the public might know where to find them.

Clause *agreed to.*

Clause 71 (Regulation of hours by public clock) *agreed to.*

Clause 72 (Registers to be kept in a factory or workshop) *agreed to.*

Clause 73 (Affixing in factory or workshop of abstract of Act and notices) *agreed to.*

Clause 74 (Printing or writing and service of notices and documents, &c.) *agreed to.*

Clause 75 (Inspection of weights and measures used in factories and workshops) *agreed to.*

(4.) *Fines.*

Clause 76 (Fine for not keeping factory or workshop in conformity with Act) *agreed to.*

Clause 77 (Penal compensation to person injured by want of fence to machinery).

MR. BRISTOWE said, that the clause did not provide for the fencing of mill-gearing.

MR. ASSHETON CROSS: That has been provided for in the earlier part of the Bill.

Clause *agreed to.*

Clause 78 (Fine for employing children, young persons, and women contrary to the Act) *agreed to.*

Clause 79 (Fine on parent for allowing child to be employed contrary to the Act, or neglecting to cause child to attend school) *agreed to.*

Clause 80 (Forgery of certificates, false entries, and declarations).

MR. MACDONALD moved, in page 38, lines 15 and 16, to leave out "knowingly;" in lines 19, 23, and 25, to leave out "wilfully," because words of this description were unnecessarily applied to well-known offences. These words were used in every Act they had been put in to weaken the force of the Statutes —they were in the interest of law, breakers, not of those that wanted to obey the law. He hoped the Home Secretary would assent to the omission of a word which, in his opinion, would injuriously restrict the operation of the clause.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) said, it was a mistake to suppose that the words "knowingly" and "wilfully" were not to be found in Statutes relating to criminal offences. They were, he thought, very essential words in such a clause as that under discussion; for, if they were struck out, the most innocent person might be brought within the purview of the Bill, and a monstrous injustice might thus be done to one who was entirely guiltless of any real offence.

MR. BIGGAR argued in favour of the Amendment. If the word "knowingly" were allowed to remain in the clause, the onus of proof that the signer of a certificate actually knew the statements which it contained to be false would lie upon those who prosecuted; and the clause would, in consequence, be rendered almost completely inoperative, for in the vast majority of cases it would be impossible to furnish such proof.

MR. M'LAREN thought the answer of the Solicitor General was conclusive as to the use of the word "knowingly" in the case of the person by whom a certificate was signed; but it would be well, in his opinion, if it were struck out in the 14th line of the clause, because anyone holding a certificate must be aware whether he was really entitled to use it or not.

MR. PARNELL said, the discussion appeared to him very much on the distinction which he had heard made between a want of veracity and a want of truth. A want of veracity was explained to be the making of an assertion which was not true by a person who believed it to be true; while a want of truth was defined as the making of a statement with the knowledge that it was untrue. It was that distinction which the framers of the clause would appear to have in view.

Mr. MORGAN LLOYD thought that, though it might be well that some penalty should be attached to mere negligence in the signing of a certificate, it would be unwise of the Committee to assent to the Amendment, the effect of which would be to make what amounted simply to a mistake punishable in the same manner as the grave offence of forgery. It would be a great injustice that a person who negligently signed a certificate, believing that the statements which it contained were true, should be subjected to such severe penalties as those which might be inflicted under the operation of the clause.

Sir ANDREW LUSK opposed the Amendment, adding that, in his opinion, the fine of £20 imposed by the clause was too large, and that it would be better if the amount were fixed at £10.

Mr. ANDERSON took exception to the peculiar distinction between a want of veracity and a want of truth which had been drawn by the hon. Member for Meath (Mr. Parnell). If there was such a distinction, it certainly did not exist in Scotland; it might possibly be English, but the probability was, he thought, that it was confined exclusively to Ireland.

Mr. PARNELL replied, that the distinction was not his, but that of the Rev. Mr. Robertson, who was a Scotchman.

Mr. MUNDELLA said, he should prefer leaving the clause as it stood to amending it as was proposed; while he was quite prepared to admit that a person who "knowingly" uttered a false certificate deserved the punishment which, under the clause, might be inflicted upon him.

Mr. MACDONALD said, he would not press his Amendment in opposition to what appeared to be the general feeling of the Committee, though he could not help thinking the Committee was greatly in error in the matter.

Mr. BIGGAR thought the clause was badly drawn, inasmuch as it contained no provision imposing a penalty on culpable negligence. It proceeded upon the assumption that a person giving a false certificate must do so intentionally; but the person who did so through gross carelessness might go entirely unpunished. He hoped the Government would take care, before the Report, to have the clause amended in that respect.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 81 (Fine on person committing offence for which occupier is liable) *agreed to.*

Clause 82 (Power of occupier to exempt himself from fine on conviction of the actual offender) *agreed to.*

Clause 83 (Restraint on cumulative fines) *agreed to.*

(5.) *Legal Proceedings.*

Clause 84 (Prosecution of offences and recovery and application of fines) *agreed to.*

Clause 85 (Appeal to quarter sessions) *agreed to.*

Clause 86 (Limitation of time and general provisions as to summary proceedings) *agreed to.*

Clause 87 (Evidence in summary proceedings) *agreed to.*

PART IV.

DEFINITIONS, SAVINGS, APPLICATION TO SCOTLAND AND IRELAND, AND REPEAL.

(1.) *Definitions.*

Clause 88 (Factories and workshops to which Act applies).

Mr. PARNELL directed the attention of the Committee to that portion of the clause under which workshops were to be exempted from its operation where no children, young persons, or women were employed. On looking over the Bill, he found a great many clauses, such as the 3rd, which provided that workshops should be kept in a cleanly state—the 31st, the 32nd, and 33rd, which related to accidents and the making of special regulations for the promotion of health—which, in his opinion, might very properly be extended to the case of workshops in which men only were employed. He found that Clause 34, which provided for the keeping clean of the interior of bakehouses, was rendered practically inoperative, because it only applied to places of that description in which women, young persons, or children were employed. The same objection could be taken to Clause 35, which referred to the provision of clean sleeping places near to bakehouses, and to Clause 36, which provided for proper ventilation, and so on. Clause 76, also, which imposed a fine for not keeping a factory or workshop in conformity with the Act, and Clause 77, which provided for compensation to persons injured through the want of fences to machinery, would both be nugatory unless women, or children, or young persons were employed in the factory or workshop. He therefore, thought the Committee would do well to adopt his Amendment, which was as follows:—To insert after the word "Act" in line 18, page 44, the words "with the exception of sections 3, 7, 31, 32, 33, 34, 35, 36, 76, and 77."

MR. ASSHETON CROSS did not want to take any technical objection to the Amendment; but he would point out that it would be very inconvenient to refer to sections of the Act as proposed by the hon. Member for Meath (Mr. Parnell). Of course, there was a great deal *primâ facie* in favour of the Amendment; but, in the first place, as regarded Section 3, by the Amendment, which had been made in the Public Health Act, all factories and workshops were now placed under the control of the sanitary authority of the district. Formerly there was a limit to the power of the sanitary authority, but that was now done away with. With reference to Clause 7, as it at present stood, it only related to places where children and young persons were employed. Then, as regarded Clauses 31 and 32, it would be found that in Clause 59, it was specially stated that those clauses should not apply to workshops not employing children or young persons therein. As to Clause 33, it was thought that the local authority might very fairly be left to say whether a factory or workshop were properly cleansed. He granted that when they came to Clauses 34 and 35, which dealt with bakehouses, a case was made out for the Amendment; but it was by a pure accident that bakehouses employing men were omitted, and for the sake of the public health, they would be included in the Bill at a later stage; but the question whether they should be put under the supervision of Factory Inspectors or of the local authority would have to be considered. With regard to Clause 36, which contained a provision as to ventilation by fans in factories and workshops, wherever there was machinery—no doubt there would be a good deal of dust; but in smaller places, where there was no machinery, he did not think sufficient dust would be accumulated to call for official interference. As to Clauses 76 and 77, they only applied to places where young persons where employed. He hoped the hon. Member would be satisfied with this explanation, and would withdraw his Amendment.

MR. PARNELL thought that, as the previous Acts were so entirely limited to women and children, it would be better to leave the Bill as it stood in this respect, and he would, therefore, withdraw his Amendment.

Amendment, by leave, *withdrawn.*

MR. HIBBERT said, that before the Home Secretary answered the hon. Member for Tipperary's Question, with reference to schools, he would call the right hon. Gentleman's attention to the work carried on in laundries. He thought it would be a very great advantage if that part of the Schedule which dealt with those places could be omitted from the Bill.

MR. ASSHETON CROSS, in reply to the hon. Member for Tipperary (Mr. Gray), said, that with regard to schools established for gain, the question would have to be looked at very carefully. As to the public laundries, he would have something to say about them when the Committee came to the Schedule; but he was bound to admit that difficulties had occurred in carrying out the recommendations of the Commissioners, such as he did not think could have been in their minds when they reported; and he would be quite ready to listen to any arguments that might be used in favour of striking public laundries out of the Bill altogether.

Clause *agreed to.*

Clause 89 (Definition of employment, and working for hire) *agreed to.*

Clause 90 (Definition of certified efficient school) *agreed to.*

Clause 91 (General Definitions. "Child." "Young person." "Woman." "Parent." "Treasury." "Secretary of State." "Education Department." "Sanitary Authority." "Person." "Week." "Night." "Prescribed." "Summary Jurisdiction Acts." "Court of Summary Jurisdiction." "Mill-gearing.")

Mr. TENNANT called attention to the definition of a "child" which was said to mean "a person under the age of 14 years." He thought 13 years might be the age at which the description "young person" might begin to apply, and he recommended that the question should be considered before the Report.

Clause *agreed to.*

(2.) *Savings.*

Clause 92 (Saving as to liability of hirer of machine where not occupier) *agreed to.*

Clause 93 (Saving for persons employed in repair of machinery or of factory or workshop) *agreed to.*

Clause 94 (Application to factories and workshops of 38 & 39 *Vict.* c. 55) *agreed to.*

Clause 95 (Construction of enactments referring to Factory or Workshop Acts) *agreed to.*

(3.) *Application of Act to Scotland and Ireland.*

Clause 96 (Temporary saving for employment of children under 10 and children over 13 in Scotland and Ireland) *agreed to.*

Clause 97 (Certificate of birth for purposes of Act) *agreed to.*

Clause 98 (Application of Act to Scotland) *agreed to.*

Clause 99 (Application of Act to Ireland).

Mr. GRAY said, the expression "certified school" in Ireland only applied to national schools; but in England there were two classes of schools which a child might attend under this Bill—namely, "recognized official schools" and "certified official schools." There were a great many schools in Ireland which were efficient, but which were not national schools. For instance, there were the Church Education Society's Schools, The Christian Brothers' and the Nuns' Schools—with reference to the last named of which, Mr. Richmond, the Inspector, had stated that he found a marked difference between the behaviour of girls attending those schools compared with that of other girls of the the class. The time of attendance at school in Ireland, was from 10 to 3, and it was impossible, therefore, to get two attendances of three hours each in one day. Certificates of attendance were, however, given, and the school master reconciled it to his conscience by counting the whole time that a child was away from the factory for the purpose of attending school. The hon. Member then moved an Amendment to insert the following words after the word "school," in page 50, line 5:—

> "And any school which the Lord Lieutenant in Council has not refused to recognize as a school affording efficient means of elementary education; Provided, that if attended by children, in accordance with this Act, such school shall be open, with the teachers in regular attendance, for the period of one full attendance before half-past Twelve, and for the period of one full attendance after half-past One in the afternoon of each day."

By this Amendment there were two points raised—first, to allow all schools giving a fair education to be recognized by the Act; and, secondly, to secure for the "half-timers" three hours school in the morning and three hours in the afternoon, so that the attendance should be a reality and not a sham.

Mr. PARNELL hoped the Government would agree to the Amendment, as he felt sure it would give satisfaction to all classes in Ireland; and, unless some such Amendment were passed, he was convinced that they would have very great difficulty in dealing with both Catholic and Protestant children in regard to the school question. In his own county—Meath—there were the Erasmus Smith Schools, which were attended by Protestant children, but which would not be recognized in the clause as it stood, and the children attending such schools would not reap the advantages which would be accorded to children attending the national schools. The Catholics also had excellent schools, which were preferred by many parents to those which the Act would recognize. This Bill itself afforded a very good precedent for the adoption of the Amendment, for Section 23 provided that where there was no certified school within a distance of two miles from the residence of the child, attendance at a school not a recognized and efficient school should count as attendance at a recognized and efficient school until such school was established. He could not conceive any objection to the Amendment, if the Lord Lieutenant in Council had power to state that any school of which he did not approve should not be certified.

MR. D. TAYLOR hoped that if any additional schools were to be included in the definition of certified schools very great care would be taken before that was done to test the qualifications of the teachers.

MAJOR NOLAN believed that the majority of hon. Members did not know or understand the position of certified teachers in many parts of Ireland. A large number of female children were educated in convent schools, which aimed at giving—and in most instances did give—a superior kind of elementary instruction to that afforded in national schools. Now, if they excluded from the benefits of the clause all schools whose teachers were not certified, they would shut out every one of these convent schools in Ireland. In the county of Kerry, the nuns had no objection to pass the examination necessary to obtain the Government certificate, and a large number did pass it in order to obtain the national grant; but the schools provided by the nuns of Kerry represented only one-thirtieth or one-fortieth of the total number of schools in Ireland. This state of things did not arise from any inferiority on the part of the teacher, as was proved by the fact of those teachers being strong advocates of the system of payment by results. By the rules of the Board these convents would, if classed as national schools, obtain £50 or £60 a-year for every 100 pupils, whereas they now only received £20. They were, therefore, already at a great disadvantage in point of money; and, if they were to be further handicapped, a great injustice would be done them. The same argument applied to the smaller schools, such as those carried on by the Christian Brothers, which provided for the education of the children of the poor, but which were not certified because the teachers would not pass the prescribed examinations. As to the question of time, it was desirable to point out that in many of the smaller towns the hours were regulated by the habits of the country, and that the schools did not keep open as late as half-past 4. Under those circumstances, he thought that, if the Attorney General would adopt the first part of the Amendment of the hon. Member for Tipperary, he would confer a very valuable benefit on the school system in Ireland.

MR. NEWDEGATE, who failed to see the urgency of the Amendment, asked why, if there was to be no qualification, it should not be generally provided that all schools within a specified distance of any place of employment should be included? The Committee ought not to be called upon to proclaim that the national system of education in Ireland, which cost them so much, was insufficient for the needs of the country, and not to be relied upon for providing instruction within a reasonable distance of the site of employment.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON), whilst not prepared to accept the Amendment in the shape in which it had been brought forward, admitted that it might be not unreasonable in the case of Ireland to recognize other than certified schools. He was, however, disposed to believe that although the hours in some of the schools in Ireland were not sufficiently long, yet it would not be desirable to adopt the whole of the Amendment. In regard to the substantial question, it might be better, perhaps, to adopt the words of the 23rd section—"Schools that had been recognized by the Factory Inspector as giving efficient elementary education." As the Amendment had been rather hurriedly prepared by the hon. Member for Tipperary, he would suggest that it should be now withdrawn, and the question raised again on the Report. In the meantime, he would consult with the Home Secretary on the point.

MR. ASSHETON CROSS was quite willing to adopt the suggestion of his right hon. and learned Friend. The Education Department in England passed a number of schools which were not certified elementary schools, but which were included under the head of "other recognized schools;" and he confessed that he thought some provision of the sort might be extended to Ireland.

Major NOLAN thought that if the Amendment were withdrawn the Government should consent to add these words—"or any schools which receive money from the Commissioners of National Education." This was necessary from the fact that many of the convent schools received money, but only as payment for results. The point had, no doubt, been overlooked by those who drafted the Bill, owing to their want of knowledge of the intricacies of the education question in Ireland. The speech of the hon. Member for North Warwickshire (Mr. Newdegate) really meant that Parliament supplied a certain number of national schools for Ireland, and, if the people did not choose to send their children to them, they were to be legislated against on every possible occasion.

Mr. ORR EWING suggested that the expression "certified efficient school" meant any public or any elementary school under Government inspection.

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) quite agreed that some change in the phraseology of the clause was necessary, and was ready to insert after "any national school," some words which would include any recognized certified school.

The CHAIRMAN said, the Amendment of the hon. Member for Tipperary was at present before the Committee, and it would be better to dispose of it before discussing another proposition.

Mr. BIGGAR, believing that English and Scotch Members did not know the real facts of the case, wished to explain the position of things as regarded education in Ireland. What occurred in the national schools was this. It was a common practice for a building, such as a hay-loft, to be hired, for windows to be put in, and teachers who had passed the National Board to be brought there. The teachers were paid by results, and got a fixed payment from the National Board. Even if they had no class at all, they got paid.

Mr. W. JOHNSTON: Will the hon. Gentleman name those schools?

Mr. BIGGAR said, he knew an instance in which a Presbyterian clergyman had gone round to all sorts of people collecting money for education, which was really applied to proselytizing and Presbyterian purposes. This was but one glaring and vicious example of what was done under the guise of a National Board of Education. The children of Ireland got their education in other schools not kept by the National Board, and the teachers in which had no Government test to undergo much better than in the national schools. In the case he had referred to a gentleman collected money from the public, and he was not aware whether any account was given as to how it was expended.

Mr. W. JOHNSTON rose to Order.

Major NOLAN also rose to Order, remarking that no personal allusion had been made by the hon. Member for Cavan until the hon. Member for Belfast (Mr. Johnston) had called out "Name?" It was perfectly competent for the hon. Member to decline to give the name of the person he referred to.

The CHAIRMAN said, it was entirely a matter of discretion with the hon. Member whether he gave the name of a person outside the House whom he had referred to.

Mr. BIGGAR had not intended to refer specially to the gentleman; but the thing was notorious, and it was a positive fact that that was the way in which money granted for educational purposes was spent. The result of the system was that the Government was subsidizing national school teachers, who were really active agents of Presbyterian clergymen. That was not a desirable state of things, and what hon. Gentlemen did not think they were doing when they granted money for educational purposes in Ireland. He had said, perpaps, more than he had intended to say at starting; but it was essential that hon. Members granting public money should know how it was spent.

Mr. NEWDEGATE expressed a hope that in any Amendment the Government accepted on this part of the Bill relating to Ireland, they would abide by the same principles which guided the action of the law and their own conduct with respect to England and Scotland. The hon. Member for Dumbartonshire (Mr. Orr Ewing) had suggested that the expression "any certified efficient school" meant any public or any elementary school under Governmental inspection. Under a recent Act of Parliament no school in England was considered efficient that was not inspected; and he hoped that the Government would not extend the advantage of teaching half-timers, which was an advantage to every school, to schools in Ireland not under Governmental inspection. He did not think the Government would be justified in conceding the privilege of teaching half-timers to any school, as to the internal regulations of which they had not adequate information.

MR. O'REILLY felt assured that the right hon. Gentleman in charge of the Bill wished to act fairly towards Ireland in respect to this Bill. The conditions of education differed in the two countries, and in Ireland an inspected school would be another name for a national school. What was wanted was that the other class of efficient schools should be included in the Bill.

MR. ASSHETON CROSS hoped that the Committee would be satisfied with the assurance of the Attorney General for Ireland to deal with the question on Report, and not waste further time over the discussion.

MR. SULLIVAN wished to know if he had understood the hon. Member for North Warwickshire to say that he desired the Government to apply the same principles to public schools in Ireland as existed in regard to those in England and Scotland? If he had correctly understood the hon. Gentleman, he would be content to take him at his word; he would ask him to have the courage to be consistent, and to vote for the same legislation for Ireland as for England in educational matters; for then denominational schools would be brought in Ireland under the public school system. Because Ireland had forced upon it a purely secular system of education, the House could not expect Irish Members to submit to any attempt to exclude scholars attending other schools from the advantages of the Bill. Such a suggestion was not to be tolerated.

MR. NEWDEGATE said, the hon. and learned Gentleman had omitted to mention one fact as regarded education in Ireland —that, unhappily, the authorities of the Roman Catholic Church opposed the national system of education. Fortunately, in England——["Order!"]

THE CHAIRMAN reminded the hon. Member for North Warwickshire that as the Amendment before the Committee was as to the definition of a certified efficient school, the subject of religious education in Ireland could not be brought into the discussion.

MR. NEWDEGATE apologized; but remarked that he had only been replying to the observations of the hon. and learned Member for Louth (Mr. Sullivan). He was only observing that it was no fault of the Legislature if the same system of law with respect to education that applied in England, did not apply equally to Ireland.

MR. A. M'ARTHUR maintained that when the Irish system of education was first established by the late Earl of Derby (then Lord Stanley), it was by no means a secular system, as under it there was the reading of Scripture extracts, hyms were sung, and prayers said.

THE CHAIRMAN pointed out that this reference was out of Order.

MR. O'CONNOR POWER said, the difficulty was that in certain parts of Ireland, owing to religious feeling and influences, the national system of education was not made use of to the fullest extent, because parents objected to it. Wherever the Catholics were in a majority the local education would probably be in the hands of a Catholic priest, and the Protestants objected to send their children to a school under such control. The contrary happened in a Protestant district, and the Catholics, having no confidence in the local schools, established schools of their own. Therefore, the Committee was not discussing a Roman Catholic grievance, but one which applied to Catholics and Protestants alike. An Amendment had been proposed to meet the difficulty, and he regretted that the Home Secretary and the Attorney General for Ireland had not accepted it. This was no question of the respective merits of systems of education; but the point was simply this—that a large number of the youth of Ireland were educated in schools which did not come under the definition already contained in the Bill, and the Irish Members desired to introduce some provision which would place those schools on an equal footing with the national schools when it had been proved that they were capable of giving an equally good education.

MR. HIBBERT wished, as far as possible, to support the desire of the Irish Members to make the expression "efficient school" comprehend something larger than the national school system. He thought it was the intention of the Government that it should mean something more than national schools, and hoped that after the promises of the Home Secretary and the Attorney General for Ireland, the Amendment would be withdrawn.

Major NOLAN said, if the Government would promise that the Amendment on Report should be sufficiently comprehensive to include within its scope any school which was efficient, in an educational point of view, Protestant as well as Catholic, he would be willing to withdraw his opposition.

Mr. PARNELL said, he had an Amendment on the Paper somewhat similar in character to that of the hon. Member for Tipperary (Mr. Gray), and he would be glad to have some explicit declaration from the Government as to what they proposed to do when this question came up on the Report of the Bill. As the Bill stood at present, its limitation to national schools was of a most mischievous character, though it followed up the old principle which had actuated the Government in matters of education—that of forcing children into the schools they deemed it most desirable for them to attend. He could not imagine that at this time the Irish Members would submit to such an imposition as the clause in its present form proposed; but if the Government would only indicate the principle of their Amendment, he would withdraw his opposition. All the Irish Members desired to see was, that schools in Ireland capable of giving a good education to children, no matter to what religion they belonged, should be recognized as efficient schools under the Act.

Mr. GREENE failed to understand why hon. Members opposite objected to the same treatment as that extended to England and Scotland. In Scotland a certified efficient school meant any public or elementary school under Government inspection, and he was at a loss to know why the Irish Members objected to Government inspection.

Sir JOSEPH M'KENNA said, if the hon. Member had been in the House during the last three-quarters of an hour, he would have known all about it; but it was not calculated to further the business of the Committee for an hon. Member to intervene in so naive a way.

Mr. GREENE rose to Order. He had been in the House during the whole of the discussion.

Sir JOSEPH M'KENNA: So much the worse. The hon. Member had evidently not been attending to what had been going on; for if one thing had been made more clear than another it was what they wanted. It was admitted very frankly by the Government that the clause as it stood would not carry out the principle at which they aimed. However, he should be perfectly content to leave the matter in the hands of the Government, as they had promised to bring up a clause on the Report which would satisfy those reasonable and legitimate wants on the part of the Irish Members which had been expressed to-night. He would not pay any hon. Member the bad compliment of supposing that he did not know what the Irish Members wanted, as it had been already explained.

Mr. A. M'ARTHUR was perfectly willing to give Ireland every facility possessed by England, but Members from Ireland wished for a great deal more. The schools in England were subject to Government inspection—without that inspection they could not get any money; and he could not understand how any Government could be expected to give support to schools over which they had no control, and with regard to which they had no legitimate information. The proposal to leave it to the discretion of the Lord Lieutenant to say what schools were efficient, and what inefficient, was objectionable; because it would place his Excellency in a very invidious position, and pressure would be brought to bear upon him on all sides. If hon. Members would be willing to submit that every school should be subject to inspection, and paid by results, then their proposal might be agreed to.

Mr. SULLIVAN said, no Irish Member had suggested that any school in Ireland, Protestant or Roman Catholic, should receive a farthing from public funds without rendering itself liable to public inspection. The Government should indicate the principle they had in their mind. He did not ask them for details, but he wanted to know the principle which would govern the arrangement of this matter; and, unless they knew exactly the principle, they had better discuss the matter fully now instead of waiting for the Report. He should like to know from the Home Secretary or the Attorney General for Ireland whether they had any objection to extend this clause to any and every public school in Ireland, the educational efficiency of which should be approved by a Government authority? That was the principle they wanted, and let them understand each other about it.

MR. MUNTZ thought the offer of the Government was sufficient. [An hon. MEMBER: What is the offer?] Why, to bring up a clause on Report, in which an endeavour would be made to meet the wishes of the Irish Members. This was a complicated question, and it was not right for hon. Gentlemen to imagine that a clause could be drawn up all at once.

DR. WARD considered what they asked for was fair. They did not object to defer this clause; but they did object to defer it without knowing the lines of the principle upon which the Government were to act. As far as he could understand the Attorney General, the Government were going to do exactly the opposite of what the Irish Members wanted.

MR. FAWCETT considered the request of his hon. and learned Friend the Member for Louth (Mr. Sullivan) a very reasonable one. Nothing was more frequent, when a Bill was in Committee and a difficulty occurred, than for somebody to get up and suggest that it should be postponed until the Report, as they would be in exactly the same position as when in Committee. Now, anybody acquainted with the Forms of the House, knew very well that it was a very different thing to discuss a clause in Committee and to discuss it on Report. They had a much better chance of getting what they wanted in Committee than on Report, because on Report, if an hon. Member only said three words, his further right to speak was gone. This was not a question of a Government grant to Irish education, nor was it a question of voting public money under certain circumstances. As far as he understood this question it was this—this Bill proposed, as a condition of employment, that a child should receive education at an efficient school; and the test of the efficiency of a school was necessarily Government inspection, and that Government inspection ought to be applied alike to England, Scotland, and Ireland. Now, what was here asked was, that children should not by a side-wind be forced into schools, in order to obtain a right to labour in Ireland, to which schools they might have conscientious objections. What was asked was, that if a child was attending a school which was certified by some kind of Government inspection, such as existed in England and in Scotland as efficient, then no barrier should be placed in the way of the child obtaining employment. The proposal of the hon. and learned Member for Louth was, that he would accept the postponement of the question until the Report, only on the distinct understanding that the Government would say that they would bring up a clause based on the principle that an efficient school, so far as the right to labour was concerned, should be a school which was certified to be efficient by Government inspection. They did not ask for the words of the clause now, they only asked that the Government would state what should be its principle. It was so perfectly reasonable that he hoped the Government would at once make this declaration.

MR. J. LOWTHER thought that they were all pretty much agreed upon what was required; and the request of the hon. and learned Member for Louth was a reasonable one. He understood him to say that he would be satisfied, provided the Government would, on Report, bring up a clause which would secure that any child attending a school which had been certified by any Government authority as efficient, should be entitled to take advantage of the Act. On Report, he would undertake to bring up such a clause.

MAJOR NOLAN was in rather an unpleasant position. In his district there were several schools, whose requirements would not be met by the proposition of the Chief Secretary. He alluded to the district of Tuam, where there were schools which had no Government inspection at all. If the Chief Secretary would, therefore, say any school known to be efficient, the case of those schools would be met, and he should be content.

MR. J. LOWTHER said, it was the intention of the Government that all efficient schools should be included.

Amendment, by leave, *withdrawn.*

Mr. PARNELL moved, in page 50, after sub-section (1), to insert the following sub-section:—

> "In lieu of any four half-holidays allowed under the provisions of sub-section (2), in section 22 of this Act, there shall be allowed, as a holiday, to every person employed in a factory or workshop, the whole of the seventeenth day of March and fifteenth day of August; Provided, That, when either of these dates falls on a Sunday, this sub-section shall have no effect as regards such date."

He might at once say, for the benefit of the English and Scotch Members, that the 17th of March was St. Patrick's Day, and that the 15th of August was Lady Day, and both days were of very great importance in Ireland, and were universally observed as holidays. He hoped, therefore, the Government would agree to this proposal. If the Government desired it, he would leave out the words "every person," and insert "every child, young person, or woman."

Mr. W. JOHNSTON said, there was, of course, a great deal in the observations of the hon. Member, and he should be prepared to agree to the proposal if the 12th July and 5th of November were also added.

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) said, so far as this proposal related to St. Patrick's Day, there was no doubt it would receive sympathy; but he was disposed to think that in Ireland, as well as in England, the selection of holidays was pretty fairly arrived at between the employers and the employed, and the masters generally tried to meet the views of those they employed by selecting the best periods of the year. As to young children and women, he thought it better they should have eight half-holidays than four whole-ones, and, certainly, as regarded St. Patrick's Day, some employers might think it was an advantage to the work-people only to have a half-holiday instead of the whole day. From an Irish point of view, there was, no doubt, a great deal to be said about St. Patrick's Day; and, on the whole, although he thought it might be better to leave the arrangement to the people themselves, instead of fixing it in an Act of Parliament, he would not oppose that part of the Amendment. The 15th of August, however, stood on quite a different footing, and making it a holiday by Statute might lead to difficulties and complications.

Mr. SULLIVAN understood the Attorney General to suggest that only one actual day should be named in the clause, and that St. Patrick's Day. He would point out that already in the 98th clause of the Bill there was one holiday actually legislated for in Scotland. The clause said—

> "Any two days, one of which shall be the day set apart by the Church of Scotland for the observance of the Sacramental fast, in the parish in which the factory or workshop is situate."

He would suggest to his hon. Friend that he should confine his clause to naming St. Patrick's Day, and he thanked the Attorney General for the recognition he had given of the national holiday of Ireland.

Mr. M'LAREN said, the fast day referred to in this Bill was already created by law; and it was not made a holiday for the first time by this Bill. All shops were closed and business suspended on that day, very much as if it were Sunday.

Mr. PARNELL desired to read the clause, as he was prepared to amend it—

> "In lieu of any two half-holidays allowed under the provisions of sub-section (2), in section 22 of this Act, there shall be allowed, as a holiday, to every child, young person, or woman, employed in a factory or workshop, the whole of the seventeenth day of March; Provided, That, when this date falls on a Sunday, this sub-section shall have no effect as regards such date."

Mr. W. JOHNSTON hoped the Government would not agree to the Amendment. A large majority of the people employed in factories and workshops in Belfast did not want a holiday on the 17th of March.

Mr. J. LOWTHER was glad the hon. Member for Meath (Mr. Parnell) had withdrawn that portion of his Amendment which related to the 15th of August. He thought, however, it would be generally admitted that St. Patrick's Day was a national holiday in Ireland.

Mr. RITCHIE said, it was an entirely new principle in a Bill of this description to select a day which was a secular holiday, so to speak; for all the other holidays appointed for England and Scotland were days of religious observance, though whether they were religiously observed or not was another matter. For example, the two days in England were Good Friday and Christmas Day, and the day for Scotland was the Sacramental Fast Day, which was a religious holiday.

MR. SULLIVAN had seen how Good Friday was observed as a religious holiday in the Tower Hamlets, and certainly he had always found that St. Patrick's Day was better kept in Ireland.

MAJOR NOLAN had always thought that St. Patrick was claimed alike by Catholics and Protestants. There was a song, often heard in the North of Ireland, commencing—" St. Patrick was a Protestant."

Amendment, as amended, *agreed to.*

Clause *agreed to.*

(4.) *Repeal.*

Clause 100 (Repeal of Acts) *agreed to.*

MR. ASSHETON CROSS said, that before proposing the new clauses which were on the Paper, he wished to make a statement to the Committee concerning a new clause which he had drawn up. Although the Committee had apparently agreed with him that it was absolutely necessary to retain some hold over private workshops, yet he thought they also held the same opinion he himself entertained, that every care should be taken to prevent abuse of the power of entry. He would move, therefore, the insertion of a new clause, which was not on the Paper, to the effect that where an Inspector had reason to believe that work was being carried on in a dwelling-house, contrary to the provisions of the Act, he should not have power to go into that house without either getting a warrant in writing from the Secretary of State, or going before a justice of the peace to ask him to grant a warrant to enter the house. In the case of a warrant granted by a justice of the peace, he thought it necessary that the warrant should not be available for one day only, because, if an Inspector believed that work was going on in a particular house, he might not know the day. Therefore, he would propose that the warrant should be in force for a month. The right hon. Gentleman moved an Amendment to carry out the object he had described.

MR. WHITBREAD inquired whether the warrant would be granted on a sworn information?

MR. ASSHETON CROSS replied in the affirmative.

MR. MUNTZ thought the warrant ought to be granted by two justices.

MR. GORST wished to know whether there was any precedent for houses of persons in this country being entered upon a Secretary of State's warrant, and also whether there would be a sworn information laid before the Secretary of State, or some other safeguard provided for the protection of individuals?

MR. ASSHETON CROSS remarked that the Secretary of State was the Chief Magistrate.

SIR SYDNEY WATERLOW thought the Committee ought to be much obliged to the Secretary of State for proposing this clause. He should withdraw the new clause standing in his name to the same effect. As the right hon. Gentleman had now said that the sacredness of private homes should not be interfered with except on the order of a magistrate or the Secretary of State, he thought it quite right that, under such circumstances, an investigation should be made with a view to ascertain whether children and young persons were being overworked. He had had a great deal of experience among the poor in Bethnal Green, where cabinet-work and shoe-work was done in homes, and many of the people there were amazed at the idea that their homes were to be interfered with under the circumstances which might have been brought about but for the clause which the right hon. Gentleman had just proposed.

MR. HOPWOOD joined in thanking the Home Secretary for introducing the clause, which certainly would protect the liberty of the subject to a very great extent.

MR. FIELDEN thought a warrant, granted by a magistrate on a sworn information was a very proper thing, but he objected strongly to the power proposed to be given to the Secretary of State. It was a further extension of centralization against which he must protest.

SIR HENRY JAMES was of opinion that the power given to the Secretary of State was a very valuable one. Possibly in some districts magistrates might take a different view of the Act from that taken by the Legislature; and, of course, the power of the Secretary of State would only be used in exceptional cases. He thought a Proviso that the warrant should be granted by two magistrates would be invidious and objectionable. All informations relating to the liberty of the subject were sworn before one magistrate.

Mr. PARNELL also acknowledged the value of the clause. The Secretary of State had done all he possibly could to remove the objections to the original proposal.

Clause *agreed to,* and *added* to the Bill.

Mr. ASSHETON CROSS next moved to insert, after Clause 91, the following Clauses:—

Special Exemption of certain Trades.
(Exemption of handicrafts in Schedule in private houses.)

"The exercise in a private house or private room by the family dwelling therein, or by any of them, of manual labour by way of trade or for purposes of gain in or incidental to any of the handicrafts specified in the Fifth Schedule to this Act, shall not of itself constitute such house or room a workshop within the meaning of this Act.

"When it is proved to the satisfaction of a Secretary of State that by reason of the light character of the handicraft carried on in any private house or private room by the family dwelling therein, or by any of them, it is expedient to extend this section to that handicraft, he may by Order extend the same.

"The Order shall be made in manner provided by Part Two of this Act, and that part shall apply so far as circumstances admit, as if the order were an order extending an exception."

Clauses *agreed to,* and *added* to the Bill.

Mr. ASSHETON CROSS moved the following new Clause:—

(Exemption of certain home-work.)

"The exercise in a private house or private room by the family dwelling therein, or by any of them, of manual labour for the purposes of gain in or incidental to some of the purposes in this Act in that behalf mentioned, shall not of itself constitute such house or room a workshop, where the labour is exercised at irregular intervals, and does not furnish the whole or principal means of living to such family."

Clause *agreed to,* and *added* to the Bill.

Sir HENRY JACKSON said, he had been induced by the strong desire of some of his own constituents, and of other manufacturers similarly situated, to propose that workers in certain light textile manufactures should be allowed to work in spells of five hours during the winter months, so that they might take breakfast and set their houses in order before commencing work. This proposal was, in substance, recommended by the Report of the Commissioners, and if it were accepted it would be received as a great boon by the workpeople as well as by the employers. He had introduced a deputation to the Home Secretary, who had received them courteously, and he hoped had satisfied himself as to the propriety, if not the necessity, of what he asked for. He therefore moved to insert after Clause 47 the following clause:—

(Continuous employment of young persons women, and children in certain cases.)

"In any of the textile factories to which this exception applies, if the period of employment for young persons and women as fixed by the occupier and specified in the notice begins at the hour of seven in the morning, and the whole time between that hour and eight o'clock is allowed for meals, the regulations of this Act with respect to the employment of children, young persons, and women shall not prevent a child, young person, or woman, between the first day of November and the last day of March next following, being employed continuously, without an interval of at least half-an-hour for a meal, for the same period as if the factory were a non-textile factory.

"This exception applies to the textile factories specified in Part Seven of the Third Schedule to this Act."

Mr. ASSHETON CROSS wished to make it quite clear what was proposed. This question had been fully considered by the Royal Commissioners. The Statute of 1874 enacted that in all textile factories four-and-a-half hours should be the extent of a spell, and this length of a spell had been confirmed by the present Committee in the earlier clauses of the Bill. Nothing, therefore, would induce him to depart from that four-and-a-half hours' spell in the case of heavy textile work. It was clearly necessary for the protection of persons so employed that they should not work for more than four-and-a-half hours at a time. But the hon. and learned Member for Coventry (Sir Henry Jackson) urged that in the case of certain lighter trades, which were discussed by the Royal Commissioners, the same argument did not apply. The fact was, no doubt, that formerly the people engaged in those trades were accustomed in the winter months to have breakfast before they went to their work; and it was also true that they could not now follow that system in the winter months without great inconvenience, owing to the provision contained in the Act of 1874. He had not the slightest intention of departing from the clauses they had already passed, because he was quite sure that he ought to uphold the decision arrived at by the Royal Commission. They also came to the conclusion that it was not necessary to enforce this rule in the non-textile factories, and that in those lighter trades the relaxation was not so necessary. He should have no objection to the Amendment of the hon. and learned Member for Coventry (Sir Henry Jackson) if the Committee thought the alteration should be made, because the application came not from the masters, but from the workpeople themselves. He knew this to be the case, and could vouch for it, because a deputation from them had waited on him in reference to this subject. He could not assent to the proposal of the hon. Member for Stroud (Mr. Stanton), and include all factories in this relaxation.

LORD FREDERICK CAVENDISH considered that the Home Secretary was precluded by the Report of the Royal Commissioners from going any further. He perfectly agreed with the argument of the hon. and learned Member for Coventry (Sir Henry Jackson), and only regretted that he could not also support the hon. Member for Stroud.

MR. STANTON said, after the remarks of the Home Secretary, it was not much use persevering with the Amendment of which he had given Notice. It must be remembered that, though the Royal Commissioners did not actually recommend the abolition of the system—four-and-a-half hours between meals—they did recommend that it should not be extended; and that they also reported that great complaint was made from Stroud, and the surrounding districts, of the inconvenience caused by the new system. The workpeople in that district felt they were much better off in the old times, when they were left to settle these matters with their employers, than they were now that Government had taken them under its care.

MR. MUNDELLA was very glad the Home Secretary had made this concession. He had always been of opinion that in winter 7 to 7 were better hours than 6 to 6. This system was adopted on his own premises—with the consent of the Factory Inspector, for 10 or 12 years—beginning in October, and ending in April, and working from 8 till 7. The result was, that they came in the morning, having had their breakfasts, and found the rooms comfortable and machinery warm, instead of coming a little earlier to find the rooms cold and uncomfortable, the machinery not ready, and to go home afterwards to breakfast. The whole question was really one of the habits of the people. If this concession was offered to the operatives of the North they would refuse it, while in the Midlands and the South they would accept it very gladly. He did not see why each district should not be allowed its free choice in the matter.

MR. TENNANT asked whether the hon. and learned Baronet (Sir Henry Jackson) meant that there should only be half-an-hour allowed for meals between the spells, because that was the effect of the clause as it was now worded? Again, on Saturday, was there to be one spell, beginning at 8 and ending at 1?

SIR HENRY JACKSON said, that would be practical effect on Saturday. As to the half-hour, the hands might work from 8 till 1, and from 2 till 7, or from 1.30 to 6.30, as they chose. Perhaps, in the winter months, the latter would be more comfortable for both parties.

MR. TENNANT said, his objection was not that too much was given, but too little. He certainly thought there should be at least an hour between meals.

MR. MUNDELLA said, the interval between the spells should be at least an hour.

MR. MARLING said, the people of Stroud had always been in the habit of having their meals in the winter months in the morning before they began work. It was only during the winter that the alteration in the rules was required; and he was satisfied that it was a very great grievance with them that their habits should be interfered with in this way. Until the Act came into operation, the workpeople always breakfasted before going to work, and he hoped the Home Secretary would yet see his way to granting the boon asked for this district.

Clause read a second time.

Mr. MUNDELLA moved to omit the word "half-an-hour" and insert the word "hour."

Mr. ASSHETON CROSS entirely agreed that there should be at least an hour between the spells; but this particular Amendment would not, if properly understood, disturb that. They were dealing here with restrictions. Some words must, if necessary, be inserted in the clause, and he would see the matter was put right on the Report.

Amendment, by leave, *withdrawn.*

Clause *agreed to*, and *added* to the Bill.

Mr. MULHOLLAND moved to insert, after Clause 59, the following new clause:—

(Exception for certain descriptions of flax scutch mills from certain provisions of Act.)

"The regulations of this Act with respect to the employment of children, young persons, and women, and the provisions of this Act which are declared not to apply to a workshop which is conducted on the system of not employing children or young persons therein, shall not apply to flax scutch mills which are conducted on the system of not employing children therein, and which are worked intermittently and for periods only which do not exceed in the whole six months in any year."

The object of the clause was to exempt scutching mills from the operation of the Bill. Children were not employed in them, and he asked for the alteration because scutching in Ireland, at any rate, was rather an agricultural than a farming operation. The flax was grown by small farmers, and scutched at little mills in each district, the farmers paying so much per stone for the work. The people engaged in the mills were employed in agriculture all the rest of the year. If any obstacle were put in the way of the growth of flax in Ireland the farmers would cease its cultivation, and the only manufacture which had ever taken root in that country would be destroyed.

Clause read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

Mr. PARNELL asked why young persons in flax mills were to be exempted from the operation of this measure?

Mr. ASSHETON CROSS said, there was no such exemption. The clause only applied to mills in which young persons were not employed.

Mr. BIGGAR thought this was wrong. If they once allowed young people to be employed in these mills—["No, no!"]—Well, the clause was so badly drawn that either it could not be understood, or young people were exempted from its operation.

Mr. ASSHETON CROSS said, his Paper of Amendments contained the words "children or young persons." The hon. Member was reading from a later edition of the Amendment Paper, which he had not seen.

Mr. MULHOLLAND said, he only intended to exempt factories in which children were not employed from the operation of this clause.

Mr. BIGGAR said, from what he knew of scutching mills, children should not be employed in them at all. It was one of the worst employments for children they could possibly imagine. He knew from experience that men working as flax dressers were very liable to consumption and other diseases of the lungs. No doubt these linen merchants in the North of Ireland were very honest and very enterprizing persons; but they wanted to make the most they could from their businesses, and to encourage people to throw flax, no matter what the result to their health. They had laid down the principle that young people were not to be engaged in unhealthy employments, and yet they were about to exempt a trade which, he knew from experience, was as unhealthy as glass-grinding or steel-running. What this proposition really amounted to was, that the Government should give especial encouragement to the growth of flax; and though these linen manufacturers were very enterprizing and very useful persons, he was decidedly of opinion that the Government should not give way, but should hold firm by the Bill as originally drawn.

Lord FREDERICK CAVENDISH said, if these scutch mills were declared not to be factories, it must be remembered that the provisions as to fencing machinery would not apply. He understood that the machinery used in this work was very dangerous.

Mr. MACDONALD entirely agreed with the hon. Member for Cavan (Mr. Biggar) as to the unhealthiness of scutching. The hon. Member who introduced the clause (Mr. Mulholland) said this was an agricultural operation; but machinery was largely employed in it, and it was no more really what it was said to be than the manufacture of cotton; besides, he could speak from knowledge that it was a most unhealthy occupation. In a minute those that were employed at it were covered with stubble and dust. They often had to close their mouths not to inhale the foul air. He hoped the Home Secretary would not accept the clause.

MR. O'SHAUGHNESSY was of opinion that this work could only be said to be agricultural because it drew people from agriculture during six months of the year. As to the arguments that had been used, they were exactly the same as those that had been used in vain on behalf of English manufactures. In his constituency there was a large scutching mill, employing a great number of hands, belonging to the Messrs. Russell. They were most benevolent and careful employers; but it was a notable fact that, notwithstanding all the precautions taken by them, the women deteriorated more rapidly than in any other employment in the district. There was not a single argument that had been brought forward in support of this proposition which did not equally apply to other employments.

MR. D. TAYLOR said, a great majority of these scutching mills were very small affairs, employing a few hands. The clause was said to be for the interest of the manufacturers; but that was not so. It was the growers who would benefit, because the scutching was done by them. Indeed, in a great part of Londonderry, the flax was scutched at home, and was known as hand-scutched flax. As to its being unhealthy work, he had never heard that said before of the operations of growing and steeping, while the scutching in many parts of the country he knew best was carried on by the people in their own houses. This was really the staple manufacture of the North of Ireland, and therefore he thought it deserved some consideration.

MR. ANDERSON said, the Bill did not deal with hand-scutched flax, but with that scutched in mills and factories. The process did bear a certain relation to agriculture, but only the relation which thrashing did to wheat. He knew the process thoroughly. It was about the dirtiest and most dangerous that could well be, while the more it was done by machinery the more dangerous did it become. When the process of breaking was done by machinery the danger was still further increased. To his mind, there was no really good reason for making the exception.

MR. MULHOLLAND said, hon. Members had spoken of the unhealthiness of flax-dressing; but this had nothing to do with scutching. It was only in Ireland that flax was scutched by machinery. In France, Holland, Belgium, and Germany, it was done by the peasants in their own homes; but in Ireland it was done, and much better done, by water or steam-power. He believed the farming classes in Ireland, who owned scutch mills, if they were put under the operation of the Act, and obliged to make returns and submit to inspection, would give up scutching, the profit from which was very slight. In that case, farmers would be unable to grow flax; but this was the basis of the staple manufacture of Ireland, and, if hampered, that trade would suffer. Therefore, he did beseech the Committee not hastily to take a step the results of which might prove to be most disastrous.

MR. ASSHETON CROSS said, the objection of the noble Lord (Lord Frederick Cavendish) was provided for, because these places were not exempted from the clauses in the Bill which required machinery to be fenced.

MR. BIGGAR said, if the Home Secretary intended to support the clause, he should have some further objections to offer. The hon. Member for Downpatrick (Mr. Mulholland) drew a great distinction between flax-dressing and flax-scutching, and a distinction there was—that the latter was immeasurably more unwholesome than the former. Scutching was the first operation after the flax had been steeped, for clearing off the rubbish; and it was impossible to imagine a more unhealthy employment, for the dust got down the workers' throats, and injured their lungs. As to the assertion that this was not a manufacture, it was ridiculous. These people built mills on the streams and let them out, or dressed the flax at so much per stone—and, if that was not a manufacture, he did not know what was. This attempt to obtain protection for the manufactures of a particular part of Ireland should not be listened to, and he did hope the Government would set their faces against this worthless clause.

Mr. MACDONALD denied that scutch mills were only to be found in the North of Ireland, and remembered that they had been in operation for many years in the North of England. They were also to be found in Scotland. It was nonsense to talk of the health that was in the North of Ireland—it was apart from the scutch mill. No method of dealing with the raw material could be more dangerous to the employers than that pursued in a scutch mill.

Committee report Progress; to sit again *To-morrow.*

GRAND JURY LAW AMENDMENT (IRELAND) BILL.

LEAVE. FIRST READING.

Mr. J. LOWTHER, on rising to move for leave to bring in a Bill to Amend the Law relating to Grand Juries and Presentment Sessions in Ireland, said: Sir, it is hardly necessary that I should detain the House with any arguments as to the necessity of such a measure, seeing that the subject has been frequently discussed at considerable length in the House, and has formed the subject of the deliberations of a Select Committee in recent years. The general objection has been universally admitted that the existing system is not sufficiently representative in its character, and in order to make myself intelligible to the mass of the House, it will be necessary to describe the system now in force. As that system requires general amendment and alteration, the Government have had to consider whether they should abolish the entire machinery of the present system, and adopt an entirely new one of their own creation; or whether they should endeavour to adopt the existing machinery they found to their hand, with modifications and alterations to suit the exigencies of the times. In order to clearly explain the points which I desire to bring before the House, it will be necessary to enter briefly into some details regarding the existing system—details which will, of course, be very familiar to hon. Members representing Irish constituencies. It consists of the baronial presentment sessions, the county-at-large presentment sessions, and the Grand Jury. The baronial presentment sessions consists, in part, of justices and associated cesspayers. The justices are any justices of the county, whether connected with the particular barony or not, who may choose to attend at such sessions. The cesspayers are nominated in this way—the Grand Jury at each Assizes select a number, which must not be more than 12, nor fewer than five; in practice, I believe, the number is usually about six, but the number nominated by the Grand Jury from among the associated cesspayers constitute what may be regarded as the representative element in the baronial presentment sessions. The manner in which the Grand Jurors nominate these cesspayers is one that has been subject to some considerable criticism. It is effected in this way—The Grand Jury select double the number, whatever it may be, which is to be apportioned to each barony, and that double number is submitted to the baronial presentment sessions, who select by ballot the half that is required by law. The baronial sessions meet twice every half-year. A justice of the peace presides, and the functions of that body consist mainly in superintending contracts for new baronial roads and bridges and the repair of existing ones, and various other matters I might mention; and they have to investigate claims for compensation for malicious injuries, but they do not determine the amount of the compensation, which is referred by them to the Grand Jury, with whom the decision rests. This brings me to the next body, the county-at-large presentment sessions, which is constituted in the first instance of any justice of the peace of the county who may choose to attend, in addition to one of the associated cesspayers who may be appointed from each barony. This appointment is made, not by selection, as in the case of the baronial presentment sessions, but by the general body of cesspayers themselves at each baronial session, and constitutes, no doubt, a representative element. The functions of the body are principally confined to voting supplies for certain county-at-large purposes, such as the maintenance of asylums, infirmaries, and other buildings of that description. It also superintends the management of contracts for the maintenance of mail roads, which differ from baronial roads, inasmuch as a moiety of the cost of their maintenance is chargeable upon the county at large, and consequently brought under the notice of the county-at-large sessions, and the other moiety upon baronial funds. As to the Grand Juries, the third element in the existing system, as at present constituted, they are a body nominated by the sheriff. There is a qualification which, however, is merely nominal, being only a freehold of the annual value of £50, or a leasehold of the annual value of £100. I believe that qualification is not usually insisted on; in fact, it is generally ignored, and I think the obligation imposed on the sheriff to summon one representative from each barony, is equally ignored, as they are summoned indiscriminately from any part of the barony. The functions of the Grand Jury are to discuss all the presentments which emanate from the baronial sessions and from the county-at-large sessions, and in regard to those its duty is confined to the acceptance or the rejection *en bloc* of the presentments, and it possesses no power, either to originate or amend them. In fact, their position in regard to the other bodies is somewhat analogous to the relative position of the two Houses of Lords and Commons. They have, however, other powers which may be mentioned—originating powers. They have the power, for instance, of origination in fixing the amount of compensation to be paid under the Peace Preservation Acts to relatives of murdered or injured persons, and imperative presentments as to debts and pensions for prison officers. I hope I have now made the existing system tolerably clear, and that the House can gather from what I have said how it stands with respect to county government at large. The main objections which have been urged against that system are—first, that it is not sufficiently representative in character; and that with regard to Grand Juries, they exercise considerable control, while there is no local proprietary or cesspaying qualification. Then as to baronial presentment sessions, it is objected that the justices have no connection whatever with the land, and are not contributors, either directly or indirectly, to its taxation. The associated cesspayers are nominated in the first instance by the Grand Jury, and upon a system which I think can hardly be considered satisfactory; because, of the double number to which I have referred, only half can eventually be selected. This is one of the evils complained of. They find out who are not likely to be selected, and they are sent away, but a considerable number of gentlemen, at any rate, are compelled to attend. It has also been urged as a great evil in the present Grand Jury system that it is wanting in continuity. The Grand Jury terminates with the termination of assizes, and that has been felt to be so great an evil that it has been recommended by the Select Committee that there should be a permanent committee of justices sitting between assizes. This shows there is a strong feeling existing as to the insufficiency of a continuity with regard to the Grand Jury system. That being the case with regard to the law as it stands, Her Majesty's Government approached this subject with this question before them—Were they entirely to abolish the system which they found in existence, but which undoubtedly was in many respects imperfect, and to substitute another; or were they to endeavour to adapt the existing system, with alterations and modifications, to the requirements of the moment? We have chosen the latter alternative, and the Bill which I am about to ask leave to introduce is framed upon the principle of selecting what is desirable in the existing system, improving it as far as practicable and adapting it to the requirements of the present day. Now, the main provisions of the Bill are intended to establish, or rather to confirm, in the first instance, baronial presentment sessions. These baronial presentment sessions will differ from the existing body to a very considerable extent, but their duties will remain in substance exactly as they are. We propose that the baronial presentment sessions shall consist of an equal number of nominated and elected members. The nominated members are to be chosen by the Grand Jury from those justices who have a property qualification in the barony; but failing a sufficient number of justices in the barony possessing the necessary qualification, the Grand Jury will be entitled to fill up the number required from the ranks of the cesspayers within the barony. At one moment it appeared possible to evade the difficulty which was felt in the matter, by allowing all the justices possessing a qualification to attend; but it was found that in some counties there would be a great preponderance of justices, while in other counties it would be difficult to find a sufficient number to counterbalance the elected members. It is, therefore, proposed that the number of nominated and of elected members shall be equal, as I before stated, and that the elected members shall be taken from the Guardians of the poor chosen by the ratepayers of each electoral division within the barony. They will vary in number in different counties; and in the same way, the number of justices to be elected will vary in proportion. The duties of these baronial presentment sessions will, as I have said, be substantially what they are now, and the presiding officer, it is proposed, shall be, as now, a justice. I come next to the body I propose to call the county board, which, speaking roughly, will be a substitute for the county-at-large sessions. Its duties will comprehend those now discharged by the county-at-large sessions and some others in addition. It is proposed that this county board shall consist of an equal number of members selected respectively out of either body by the nominated and elected members of the baronial presentment sessions. We do not, however, propose to restrict the area of their powers; in other words, the justices, if they think fit, may elect one or more cesspayers, and the cesspayers may elect one or more of the justices. The numbers of the representatives from the different baronies will be four for each barony, with the exceptions of the counties Cork, Galway, and Meath, where each barony, it is proposed, shall elect two. Their duties will be clearly defined; the minor proceedings of the body will be regulated by a Schedule, and its other powers by a clause of the Bill. The clause which deals with that subject, among other matters, provides that the county board shall have the charge of maintaining roads and bridges, footpaths, and so forth. They will also have to make provision for asylums and other accommodation for lunatics. They will have charge of county infirmaries, industrial and reformatory schools, militia storehouses, inquests, settling coroners' fees, appointing, removing, and paying the salaries of the county analysts, the levying of county cess, whether for barony or county at large, and other duties, hitherto discharged by the Grand Jury respecting presentments from baronial sessions, in addition to duties hitherto performed by the county-at-large sessions, which will cease to exist. I now come to the Grand Jury, which, relieved of the duties above mentioned, will still continue to hold the position they now occupy, and will retain the imperative presentments, such as pre-payment of Government advances for prisons and asylums; presentments for constabulary, court-houses, and other charges relating to the administration of justice; and presentments under Peace Preservation Acts for deaths and injuries. I should like now to place before the House what I consider will be the general result. The county boards will, on an average, amount to 30 or 40, and the baronial presentment sessions will, speaking generally, average 30. That will not be too large nor too small to afford a fair representation. Where the baronies are too large they will be divided in half to be more workable, and, on the other hand, some small baronies will be united with others. All these details will be specified in a Schedule, so as to bring it under the control of Parliament. I may now refer to one or two supplementary details. County boards will be constituted a body corporate. That is a matter of some importance, as they will have the power of holding land in perpetual succession, and that will meet the objection to a great extent, which has been urged to Grand Juries—namely, that there is no continuity, and that there is no body to represent the county. Then there is that which forms an essential portion of the existing system—namely, the traverses which are tried before the Judge—a system which is peculiar to Ireland, and which has, on the whole, worked well. The Bill proposes that, with one important modification, which will be generally admitted to be an improvement, that system shall remain. The traverse is now triable by a Judge of Assize before a common jury only; but it is now proposed that at the option of either contending party, a special jury may be demanded. The traverse will extend to such matters as the utility of proposed works and other improvements which are referable to those tribunals. With regard to changes in officers and establishments, governors of lunatic asylums having been hitherto nominated by the Lord Lieutenant in Council, it is proposed that two-thirds of the governors in each district shall be nominated by the county board, the remaining third being retained on account of Imperial contributions rendering it necessary that the Executive should have a voice in the matter. Among the officers there is the secretary to the Grand Jury; being nominated by the Grand Jury he is now styled as such; but, under the Bill, he is designated county secretary. The vested interests of these gentlemen will be found strictly guarded in the Bill. No alterations are proposed with regard to the salaries of the gentlemen who now occupy office; but, in the event of subsequent appointments, the patronage will be transferred from the Grand Jury to the county board, and it will be settled according to the recommendation of the Select Committee of 1868. Instead of going into the officer's pockets, fees will be paid by stamps to be affixed to documents and contracts, and placed to the credit of the county, and the salary, which will be fixed, will be determined upon an average of five years' receipts. It is further proposed that county surveyors should be nominated by the county boards, and that their salaries, which are now fixed at a maximum of £80, shall be raised, under certain circumstances, to £120, at discretion. The coroner—an important officer—will be appointed by the county board, instead of the existing costly and unsatisfactory election by freeholders. With respect to other functionaries, I will only allude to the collectors of county cess. In this, as in other respects, vested interests will be duly regarded. No alteration is contemplated in their status so long as the present holders occupy their posts. They are now appointed half-yearly, although a great number of them have held office for many years, almost practically during good behaviour. No alteration is proposed in regard to existing appointments; but it is intended, on the occurrence of vacancies, that the office of collector of cess shall be united with that of collector of poor rates. That will remove the only charge of extravagance which had been proved to the satisfaction of the Committee of 1868 against the Grand Jury system. I am afraid I have very inadequately explained the Bill; but I have desired, as far as possible, to avoid detaining the House by going into details. On Monday I hope the Bill will be in the hands of hon. Members; and I will now conclude by moving for leave to bring in the Bill.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to amend the Law relating to Grand Juries and Presentment Sessions in Ireland."—(*Mr. James Lowther.*)

MAJOR NOLAN said, nothing could be more lucid or clear than the way in which the right hon. Gentleman the Chief Secretary had explained the Bill; indeed, he (Major Nolan) felt convinced that if he had read the Bill, it would not have given him a better idea of what the Government proposed than had the right hon. Gentleman's speech. That was something to say; because he believed the experience of hon. Gentlemen generally was, that a speech on the first reading of the Bill gave, as a rule, an imperfect idea of its provisions. He was afraid that he was not equally well satisfied with the Bill itself. One of the great objections to the English measure was, that it gave too much power to the magistrates and too little to the ratepayers, and he found the same objections intensified in the Irish measure. He altogether objected to the relative importance assigned to the baronial sessions and the Grand Juries. The Chief Secretary had described the baronial sessions as occupying the position of the House of Commons, and the Grand Juries as filling that of the House of Lords; but that comparison, which had often been made before, was a most deceptive one. The unit of area, of which so much had been said in the English Bill, was, in this instance, equally objectionable; and the Poor Law area would have been much better for the purposes of convenience. That, however, was not a point of very great importance. As he understood the Bill, the baronial presentment sessions was to consist of one half of magistrates and the other half of Poor Law Guardians. In many districts the guardianship of the poor was practically in the hands of the landed proprietors, and the Guardians as representatives of the poor would be liable to be outvoted. The old Grand Jury was evidently still to continue at the root of the whole matter; for, under the Bill, the magistrates who would constitute part of the baronial sessions were to be nominated by the Grand Jury, who would therefore have a controlling power in that body. He now came to the provisions referring to the county board, which were much more important than those he had previously referred to. In the first place, there was the same objection to be found to the Irish proposal as was contained in the English Bill—the principle of indirect representation. The ratepayers were not to elect the representatives of the county boards, but were to appoint the Guardians, who in turn elected members to the baronial sessions, from whom again the county board was to be elected. That was very different to direct election, and would give still more power to the proprietors and magistrates than they already possessed. The Irish Bill would embody all the evils of the English measure, with a few others in addition. Part of the county board would be elected from the magistrates forming the baronial sessions, so that the system would be most complicated and worse than that proposed for England. A certain number of magistrates were to be nominated to serve on the baronial sessions by the Grand Jury. The Grand Jury would elect their own magistrates for the baronial sessions, and if the latter did not choose for the county board those representatives whom the Grand Jury favoured, the Grand Jury would take care not to elect them next time. The Grand Jury, therefore, really held the key of the situation, though nominally it was taken away from them. The power was left in the hands of the Grand Jury, but it had been ingeniously wrapped up. He thought the asylums ought to be in the hands of the county board, who had the control of the fiscal interests of the county. There were some good points in the Bill—the arrangements as to cess collectors appeared to be a very fair provision—and there might be others; but he objected to the Bill generally on the ground that it had all the faults of the English Bill, and because of the extraordinary provision in it by which the key to the election of one-half the members of the board still remained in the hands of the Grand Jury.

Mr. O'SHAUGHNESSY asked why a unit of area had not been created for all purposes, this being an improvement to which he had certainly looked forward after the speech of the Chief Secretary for Ireland last year? He regretted that no single step was taken in the Bill towards unity, simplification, and economy. The electoral division was retained for Poor Law purposes, and the baronial body for the purposes of the county; and while this was the case, there must be unnecessary expense and complication. If anything could show the lack of necessity for the two areas, it was the fact that the representation of one was taken from the representation of the other. The only good feature in the Bill was the new body to be created and called a county board, and, perhaps, in course of time, that would be improved into something useful. But, according to the statement of the right hon. Gentleman, the county board was a representative body to a lesser extent than the proposed board for the English counties. One-half the persons on the new boards were to be magistrates chosen, not on any principle that would be a guarantee for their possessing the confidence of the county or sufficient intelligence, but chosen on the discretion of a single man, and the other moiety consisted of persons appointed by the elected Guardians. The latter would not go lower than themselves in their selection, and they might go higher and elect the magistrates. What was the character of the elected Guardians? Everyone knew that in consequence of the system of voting they were anything but a representative body, and that to a very large extent they had the same sentiments and feelings as those magistrates who sat beside them at the Boards. Then they were offered the system of cross election; but that would not work well, nor introduce popular representation, but would only strengthen the aristocratic or Grand Jury element on the county board. He regretted to find that the question of malicious injuries was still left to the Grand Juries. The right hon. Gentleman appeared to think that those bodies had something like a judicial function, but they had nothing of the kind, and retaining to them this power as to injuries would only have the effect of preserving to them an invidious distinction. If the Government desired to gain the confidence of the people in these county boards, and give them a popular aspect, let them not refuse to give the new representative body the great and important trust involved in this question of malicious injuries. With regard to the asylums, the Bill would take away the small amount of representative control still left over them. The only good point in the Bill was, that it furnished a nucleus which might in time develop into a real representative county board. He hoped that the financial affairs of the county would be entrusted to the new board. If the Bill were read a second time, an effort would be made to improve it, so that it would give something more like a representative assembly; but he confessed he did not approach the attempt with much hope of success. He should be very sorry to throw anything like despair upon the prospects of the Bill, because there were few things in this world incapable of improvement, and he did not say this Bill was not capable of improvement; but it would take a great deal of time and a great deal of concession on the part of the Government, and also of hon. Members sitting behind the Treasury benches. They knew very well that all Governments, whether Conservative or Liberal, would be willing to deal with these Irish matters in a more liberal spirit, but they were hampered by Representatives from the North of Ireland and elsewhere who sat behind them. Therefore, it would require considerable firmness on the part of the Government to resist the position taken up by these hon. Gentlemen.

MR. O'REILLY had heard the statement of the Chief Secretary with considerable regret. He had hoped for something better, especially after the expressions that had fallen from the Secretary of State for the Colonies. He did not wish to enter into the details of the Bill on the present occasion; he only wished to point out to English Members two grave objections to its general scope and tendency, which they would understand on reference to the English Bill. One was the smallness of the area from which the selection was to be made, and the other objection was to the predominance given to the magistrates. He would suggest to the Government and the House that, if they wished to represent the landed interest in the sense of the owners and proprietors of land in Ireland, they should not take the justices of the peace as the representatives of that class. Speaking for himself, he would rather, instead of this indirect way of giving representation to the landed interest, give elective representatives to the occupiers of land, and also a fair amount of direct representation to the owners of land. Another matter to which he would call attention was this—The Grand Jury being selected by the Sheriff, when it became known there was to be a nomination on the county board, he would decide it by the selection he would make of the Grand Jury panel. In this way, the Sheriff would hold the key of the county board in his hand.

DR. BRADY had been considerably disappointed at the statement of the Chief Secretary, and his regret in a great measure arose from the fact that, as regarded the Grand Jury, he left one great blot. He gave them a power which they ought never to possess, and which he knew of his own knowledge led to much abuse. He alluded to their powers under the Malicious Injuries Act, under which Act they had power to grant compensation for certain injuries which might be done, or which might be trumped up for the purpose of getting money. He had known many instances of cases being brought forward of alleged malicious injury, which had completely failed because they could not be proved. The working of that Act tended greatly to demoralize the people, inasmuch as it induced them to bring forward claims for supposed injuries, when, in reality, the evidence they brought forward to justify their case would not be received in any Court in the country. If these powers were to be continued to the Grand Jury, he was quite sure it would be adverse to the wishes of the majority of the people of Ireland.

MR. MACARTNEY said, an assertion had just been made that, although both Conservative and Liberal Governments were desirous of doing justice to Ireland in this matter, they were prevented from doing so by those who sat behind them, and particularly by hon. Members from the North of Ireland. Now, for his own part, he entirely repudiated this statement. He was as anxious to see a fair Grand Jury Bill passed as any hon. Gentleman sitting on the other side of the House. It seemed most fair that those who had property should have the power of putting taxation on a district. The owners of property had a right to have, at least, as much authority in that matter as the occupiers. He greatly preferred that magistrates should elect their own representatives than that they should be appointed by Grand Jurors. He believed the English Bill acted on that principle, and he did not see why it should not be applied to Ireland. He understood that the fiscal business was to be done by the county board, and that the criminal and other business would be transacted by the Grand Jurors. That, he thought, was perfectly fair. But that the Grand Jurors should have the power of nominating the members of the county board he thought rather objectionable, because the Sheriff could select any person he chose on the Grand Jury. In this respect he considered the Bill would have to be improved. On the whole, however, he looked upon the Bill as a step in the right direction, and he was glad the Government had brought it in; and he believed, when it came out of Committee, hon. Gentlemen would not be able to point to it as a measure granted in any grudging spirit.

Mr. GRAY said, he could not share in the belief that when this Bill came out of Committee it would be satisfactory to the people of Ireland, because it was an attempt to perpetuate the old Grand Jury system when, for fiscal purposes, it could be shown there was no reason for doing so. It created, in the first place, two taxing bodies in the same area, bodies taxing the same individuals in the same area. The right hon. Gentleman must have been driven by stress of circumstances to do this to prop up the Grand Jury system of Ireland. Why should not the county board levy the taxation? Was there any pretence for saying they would not levy it? If they would abolish the absurdity of having two taxing bodies, they would do away with the roundabout machinery which they had for the maintenance of the Grand Jury for fiscal purposes. The scheme of the Government appeared to him to be artificial in its very essence; and if they could not arrive at what was the feeling on that side of the House, and give some real and direct representation to those who paid the money, they had better take the English Bill for their motto. He had not much fancy for the English Bill; but it created a central board of some kind, which they might improve hereafter, and introduce the popular element into it. But what did they do for Ireland? They did not give them a real county board, but they perpetuated the Grand Jury system. Were this Bill founded upon some comprehensive system capable of improvement hereafter, Members on his side of the House might accept it as an instalment of justice, and hope for better things to come; but when the Government started on the principle of having two taxing bodies for the purpose of perpetuating the Grand Jury for fiscal purposes, which had no right to exist at all, he did not see how they could accept the Bill. Unless, therefore, radical changes were made in the Bill, he thought it would be the duty of hon. Members on that side of the House to resist it to the utmost. The Grand Jury Bill for Ireland would not have been introduced, in all probability, if Irish Members had not criticized the English Bill. It was an unpleasant position for Irish Members to assume—that, if they wanted to carry a measure for Ireland, they must endeavour to attain that object by working indirectly through the measure for England. They would not have got improvements in the former, if they had not striven to obtain improvements in the latter. Irish Members being only a small minority in the House, that was the only course they could adopt, in order to secure the end they desired. Unless they saw more improvements introduced in this Bill for Ireland, he, for one, would think it to be his duty to oppose the English measure to the utmost of his power.

Mr. PARNELL thought the Chief Secretary for Ireland had begun to find that he had undertaken a thankless task, when, on the very threshold of his new career—having taken pains to deal with an intricate county system, and having explained so fully the measure which he wished the House to pass—he heard that measure denounced on the night of its introduction by the Members for the benefit of whose constituencies the Bill was proposed. He was sorry, for his own part, that he could not offer the Chief Secretary any comfort; because, as far as he could form an opinion upon the Bill, it seemed thoroughly vicious in principle, and thoroughly vicious in detail. If there was anything good in the English Bill, it had not been put in the Irish Bill. Certainly, he thought the former might suit England—at all events, for a time; because it appeared, from the testimony of English Members, that although the system of county government was imperfect in principle, yet it was one which worked well on the whole; and, consequently, any improvements in that system must be for the benefit of England. But in Ireland the case was different. There the system of county government was bad, and it had been very imperfectly carried out. Therefore, Irish Members could have but very little hope from the Bill which the Chief Secretary now asked leave to introduce. Of course, it was useless to criticise the Bill at that stage. He might, however, suggest that, as the Bill, at the very outset, had met with so much disfavour, the Chief Secretary might think it well to come to the conclusion, in order to save time, not to press forward the measure. The Chief Secretary had copied into this Bill the imperfections of the English one as regarded indirect representation—he had given to Poor Law Guardians, elected for totally different purposes—from areas which could not be called county areas—the right to elect from among themselves, or from among the magistrates, representatives to serve on the county board. That would be a representation of the most shadowy description. In reality, at least half of them were nominees of the landlords, and those who were not nominees of the landlords were, to a great extent, under their power—men mostly in a humble position in life—namely, the tenants of the landlords. For his own part, he should prefer to give the magistrates three-fourths of the representation on the county board, so that the remaining one-fourth might be secured for the direct representation of the ratepayers. If the Chief Secretary for Ireland had only adopted a system like that, it would have been regarded as founded on a right principle, and no doubt it would have worked well for a few years, at least until Ireland became more stable, and the people more independent. Then they would have a greater feeling of responsibility as regarded the management of county affairs. When the barriers, separating class from class, were removed—as he hoped in a few years they would be removed—the principle of representation might fairly be extended, and the ratepayers could have a more direct control over county management. But the prospect afforded by this Bill was a hopeless prospect; and he cordially agreed with the hon. Member for Tipperary (Mr. Gray) that they should work on the English Bill, and endeavour, by amending that, to improve this for Ireland. Still, he thought it was a hopeless task to endeavour to make the Bill a satisfactory measure; and he thought that the Government, who had brought it forward, would find it advisable to save the time of the House by withdrawing a Bill which had met with so much disfavour.

MR. RATHBONE, as a Member of the Committee on Local Government which had sat laboriously for two Sessions, observed that nothing had struck him more, throughout its deliberations, than the fact that Ireland was a vastly better field, and afforded easier scope, for dealing with matters of local government than was presented by England. In the first place, the perplexities as to areas were less; and, in the second place, he remarked the great anxiety there was on the part, not only of the Irish Members, but of all Members of the Committee, that besides property being represented, the owners of property should take an active and constant share in local government. The great fault of the present local government system, elicited by cross-examination, was that a sufficiently good set of men was not obtained to work out the system; and the great want present to the minds of the Committee, was the desirableness of having areas sufficiently large, and also objects sufficiently important, to engage the services of the best men. Not only so, but in Ireland there was the greatest facility offered for obtaining the object desired, by the way in which taxation was levied. As an hon. Member had remarked, the principle of rating in Ireland was, to a great extent, this—the owner paid one part of the rate, and the occupier the other part. In that principle, they had a most admirable basis for a representation of property, for a representation of persons, and of the interests of property. With so simple, sound, and in every way a Conservative foundation to proceed upon, he could not conceive why the Government should not be able to make of this Bill a measure which would weld together every class in Ireland—namely, the owners of property, the occupiers of property, and the ratepayers generally. It was to him a disappointment that the Government had not taken advantage of areas so little complex as were those in Ireland, and of a foundation for representation so simple, sound, and Conservative, and upon such bases constructed a more complete Bill for the amendment of the Grand Jury Law in Ireland.

Mr. O'DONNELL quite agreed that the reception given to the Bill by hon. Members sitting on that side of the House might seem to be a little ungracious; but certainly none of those hon. Members blamed the Chief Secretary for the kind of Bill which he had brought over from Ireland. For his part, he (Mr. O'Donnell) considered that the Bill was singularly inappropriate, and equally uncalled-for. It spoke volumes for the company which the Chief Secretary had been keeping on the other side of the Irish sea. A constant evil, arising from English Representatives dealing with Irish affairs, was that, instead of consulting the Representatives of Ireland, or of that part of it which they knew very well would grow stronger and more numerous every Election, they persisted in being guided, or rather misguided, by a Party which, in every new Parliament, was becoming fewer by degrees, and beautifully insignificant. For a little while—so long as a certain artificial system of franchise was kept up in Ireland—perhaps no more than half of them would disappear at the next Election; but as soon as the franchise really became popular in Ireland, if they did not become as extinct as the dodo, they would become very small indeed, in all probability. Was it for the sake of conciliating a number of hon. Gentlemen, who did not really represent the Irish people, that this Bill was brought over from Ireland? Let the House consider the logic of the Chief Secretary. In this Bill there were only two sets of people to whom power would be entrusted—the justices and the elected Guardians. Who were the justices? They were the *ex-officio* Guardians; and the elected members from the baronial representative sessions would be Guardians of the poor, elected from the various electoral divisions within the county. Therefore, it was not the Poor Law area that was to be chosen, but another area, which, though of some importance a few centuries ago, was of no significance now, excepting an artificial significance whose purpose was to foist, for a few years more, upon the public an injurious sham. Between the present time and the passing of the Bill through its final stages, he hoped the Government would seriously lay to heart the propriety of listening to the voice of the Representatives of the Irish people, at least in regard to non-political matters—such as county administration. The Government might question the propriety of Home Rule; they might raise a great cry about the disintegration of the Empire; but in a matter of pounds, shillings and pence, and of good administration, they might surely trust the men represented by electors who had an interest in economy and good management. Any Government, whether Conservative or Liberal, ought to have an equal interest at any rate in matters of this kind, and should see that they were properly attended to. All he could say to the Government of the day was that, if they persisted in following the old beaten track of listening to Members who had practically no influence in Ireland, though they might possess a magnificent majority, gained by their spirit of foreign policy in England, they would continue to deserve the hearty distrust of a vast majority of the Irish people.

Mr. STORER thought the reception the Chief Secretary for Ireland had met with in his first attempt to benefit the Irish ratepayers was hardly such as to encourage him to farther efforts in that direction. Some allusion had been made in the course of this discussion to the English Bill, upon which he had not had an opportunity of saying a word in the House, although for some years he had brought the subject of it before Chambers of Agriculture in the country, who, he believed, had originally suggested the idea of the measure. He considered not only that the English Bill was a measure of extreme justice to the ratepayers, and one which fully met the views of the parties who desired it to be passed into law, but the Irish Gentlemen opposite were, he believed, well satisfied that the present Bill, of which they had heard a sketch, would do an equal act of justice to the ratepayers of Ireland. It was, of course, impossible for hon. Members on that side of the House on which he sat to pretend to understand Irish Business; but, as far as an ordinary observer might judge, the few alterations suggested on that side were, he thought, calculated fairly to represent both the landlords and tenants of Ireland. He was quite sure that the Bill for England, introduced by the President of the Local Government Board, had those virtues. Although there were points in it on which they might not altogether agree, yet, in the main, he belived they might be easily adjusted, and that they would find the measure was one which would answer every expectation that had been formed of it, and would become the nucleus around which would ultimately gather the conflicting areas and administrations of county boards — as poor, highways, drainage, sanitation, &c., and would conduce to the efficiency, uniformity, and economy of county administration.

Mr. O'CLERY said, that the hon. Gentleman who had just sat down, seemed to be under the impression that the Government had given the people of Ireland a very great boon, and that they were very sensible of the kindness of the Government for granting this measure. So far from appreciating their action, he, for one, as Representative of a large county (Wexford), regarded the introduction of a measure of this kind only as further evidence of a contemptuous indifference to the wishes of the Irish people—wishes which had been declared by their Representatives, from time to time, in that House. This question of Grand Jury reform had been presented to the House during the last four Sessions by Members of the Party with whom he had the honour of acting, and notably in a Bill, of a comprehensive character, introduced by the Leader of that Party—the hon. and learned Member for Limerick (Mr. Butt). The hon. and gallant Member for Galway (Major Nolan) had also introduced a Bill relating to county boards; and both those measures, in point of fact, aimed directly at supplanting the present pernicious system of Grand Jury in Ireland. The measure introduced that night by the Chief Secretary, sought to perpetuate that system. If the Bill became law, what would be the effect of it? They would have to contend with one of the greatest evils in any public system—namely, a dual system for counties. Surely, such a system would not be tolerated in Ireland; but, forsooth, anything would do for Ireland, and the Chief Secretary appeared to think that Ireland ought to be content with it, and that as the people had not petitioned against it, therefore they did not seem to feel it to be a grievance. For his part, he could only say that the people of Ireland ought to be tired of sending Petitions to that House on every conceivable subject; because, whether they petitioned for or against this dual system, which was to be set up in Ireland, he thought their wishes would be disregarded by the majority of hon. Members in that House. However, he must inform hon. Gentlemen that in the county of Wexford, which he represented, if there was one subject more than another which the tenant-farmers appeared to have set their hearts upon, it was a fair and sound measure of reform of the Grand Jury law in Ireland. This measure did not grapple with the difficulty in the manner approved by his constituents; and, at that initial stage of the Bill, he felt it to be his duty to give it every opposition in his power; because he believed it would do more harm than good by standing in the way of a really sound measure which the people of Ireland deserved.

Mr. D. TAYLOR observed that Irish Members on that—the Opposition—side of the House appeared to be of opinion that the Bill was one which they could not adopt or approve. But what they really had to consider was this—the Bill dealt with a very difficult and very important subject; and might they not accept it for the present, and afterwards try to improve it in Committee in such a way as would make it acceptable to the people of Ireland? He thought, as the Chief Secretary had gone so far as to leave very little power in the hands of the Grand Juries, it was scarcely worth while to leave them the little which would still remain to them. He believed the Grand Juries would not regard it as a serious deprivation, if they should be relieved of the powers they had exercised for many years of approving the various presentments that were levied, that the remaining powers left in their hands should be taken from them. But there was one objection which he regarded as fatal to the Bill, and which he hoped the Chief Secretary would consider before the second reading, and that was the appointment of the justices by the Grand Jury. It was impossible for the nomination to give satisfaction, so long as the Grand Jury was selected by the sheriff, without the slightest control, as to whether the persons put on the Grand Jury lived in or outside the county, or as to whether they had property in it or not. That was a point well worthy of the consideration of the Chief Secretary. As long as the Union districts continued, the Guardians would represent the ratepayers in those districts, and he could see great difficulty in changing the area of baronial districts to that of Union districts; for it was for county purposes that all these rates were levied, and in Ireland the Unions had little or no regard for the boundaries of the baronial districts. In regard to that part of the Bill, if it were found that the baronies were too small, it would, he suggested, be very easy to join one or more baronies together; but, considering that all these rates and levies had reference always to divisions of counties, it would be unwise to change those divisions. He believed the system would be found to work wonderfully well if the persons representing the justices at the baronial sessions were elected by the justices living in the district, and if, in addition to being a justice of the peace, a property qualification were required, either as owner of property or as a large ratepayer. But if these justices were nominated by the Grand Juries of the counties satisfaction would not be given. If the Chief Secretary would consult with those hon. Gentlemen sitting behind him who came from Ireland, and plainly represent to them the amount of power which would be taken from them with regard to the fiscal matters of the county, in all probability not one of them would wish to have the balance of power left in their hands. Certainly, it would be a most invidious and untenable position that two bodies should exist in the same county, each having a separate power of levying taxes. After considering these objections, it was to be hoped that the Chief Secretary would be prepared, on the second reading, to announce his intention of so altering the Bill in Committee as to make it generally acceptable to Irish Members; but hon. Gentlemen on that side of the House must not expect a Conservative Government to do all that was required of them; and if that Government had shown a willingness to meet the views of the Irish people generally, there should be no unreasonable action on the part of Irish Members to prevent this attempt to deal with the Grand Juries. He hoped that before the Session was over, a measure would be passed which would do a great amount of good.

MR. J. LOWTHER, in reply, said, he did not complain in any way of the very candid manner in which the Bill had been criticized by hon. Gentlemen opposite. His experience of Bills in that House had been that those which were most complimented on their introduction had not infrequently met with a somewhat unenviable fate; and he was, therefore, not by any means disposed to despair of hon. Members opposite eventually finding, on a re-consideration of its provisions, that there was much more to recommend the Bill than, at the present moment, they seemed to think. It had been observed by several hon. Members that, in proposing to continue, even to a limited extent, the functions of the Grand Juries in respect of fiscal matters, the Government were running deliberately counter to the often-expressed opinions of the great masses of the people of Ireland. He was not aware in what form that deliberate expression of opinion had been conveyed to the House and the Government. He knew of one expression of opinion on the part of Representatives of Ireland—namely, in the Report of the Select Committee appointed by the House in 1868, presided over by the hon. Member for Roscommon (the O'Conor Don); and in that Report he found the recommendation that the authority of the Grand Jury in the fiscal matters of the county should not be done away with. He certainly thought the Government had gone a long way towards curtailing the excessive powers possessed by the Grand Juries, and therefore a long way beyond the recommendation of the Select Committee. An hon. Member had referred to the retention of the baronies as the area, and had suggested that the area of the Poor Law Unions should be adopted instead. In the course of this discussion it was mentioned that boundaries in many cases overlapped. Now, under the provisions of existing Statutes, a power existed to remedy, to a great extent, that defect, and it was the intention of the Government to remedy it, and to establish, as far as possible, uniformity of boundaries. He hoped upon consideration of these matters in the Bill, which he trusted would be in the hands of hon. Members by Monday, more favourable opinions would be entertained.

Question put, and *agreed to.*

Bill *ordered* to be brought in by Mr. James Lowther and Mr. Attorney General for Ireland.

Bill *presented*, and read the first time. [Bill 120.]

PARLIAMENTARY AND MUNICIPAL REGISTRATION BILL.

Ordered, That the Select Committee have power to consolidate the three Bills referred to that Committee, namely, the Parliamentary and Municipal Registration Bill, the Parliamentary Electors Registration Bill, and the Borough Voters Bill.—(*Mr. Marten.*)

WAYS AND MEANS.

EXCHEQUER BONDS (£1,000,000) BILL.

Resolutions [February 27] *reported*, and *agreed to*:—Bill *ordered* to be brought in by Mr. Raikes, Mr. Chancellor of the Exchequer, and Colonel Stanley.

Bill *presented*, and read the first time. [Bill 121.]

House adjourned at One o'clock.

HOUSE OF LORDS,

Friday, 1*st March*, 1878.

MINUTES.]—Public Bills—*Second Reading*—*Referred to a Select Committee*—Entail Amendment (Scotland) (15).

Committee—Report—House Occupiers Disqualification Removal (Scotland) * (29).

Report—Public Parks (Scotland) * (18).

THE EASTERN QUESTION — RUSSIA AND TURKEY—THE TERMS OF PEACE.

QUESTION.

Earl GRANVILLE: My Lords, seeing the noble Earl the Secretary of State for Foreign Affairs in his place, I beg to ask him, Whether he has information to give the House with regard to the terms of peace?

The Earl of DERBY: My Lords, I have received a statement to the effect that the Treaty of Peace will probably be signed to-morrow. I have also a statement which has reached me from various sources—and I hope there can be no doubt of its accuracy—that the demand for the cession of the Turkish Fleet has been withdrawn.

ENTAIL AMENDMENT (SCOTLAND) BILL—(No. 15.)

(*The Duke of Argyll.*)

SECOND READING.

Order of the Day for the Second Reading, read.

The Duke of ARGYLL, in moving that the Bill be now read the second time, said, its object was to remedy a grievance under the existing law. At present where an entailed proprietor became under liability to his tenant for improvements to be effected on the estate, and died before they were completed, the obligation to carry them out was not obligatory on the heir—and except where the estate was given as security for money borrowed for the purpose, the obligation fell on the executor, not on the heir. That was a very unsatisfactory state of the law. In some cases the evil effect of the law might be avoided, either through the agency of various Improvement Companies Acts which had from time to time been passed on the subject, or by other indirect means; but if the person in possession of an entailed estate chose to spend his own money—as many of the Scotch proprietors did—and did not choose to go to the trouble of borrowing to make the improvements, then that obligation would fall upon his executors, and not upon the heir. That was the state of the law at present. The Bill consisted of four clauses. The 1st clause was to the effect that—

> "All obligations undertaken, whether prior or subsequent to the passing of this Act, by an institute or heir in possession of an entailed estate in Scotland, in any lease granted by him as proprietor of such estate for the execution of any improvements of the description contained in the third section of the Entail Amendment (Scotland) Act, 1875, shall, in case of his death

> before complete fulfilment of such obligations, devolve upon the heirs succeeding to the estate after him, who shall in their order be bound to relieve his executors, or other personal representatives, of such obligations, so far as unfulfilled, and to repay to such executors, or other personal representatives, any sums of money which they may be called upon to pay and may have paid in virtue of such obligations."

The clause was, of course, not to apply to any case in which the grantor of the obligation had in express terms declared his intention to impose the obligation upon his executors to the relief of his heirs of entail. It might be thought that this was a very unimportant amendment of the law; but in Scotland—where the system of 19 years' leases prevailed—it was almost the invariable practice for both new and old tenants to ask for important improvements to be made, and very often they were undertaken at very considerable cost, and required a considerable time for their completion; and under the present law the whole came upon the executory if the owner died before completion of the works. The 2nd clause provided that—

> "The heirs succeeding to such institute or heir in possession as aforesaid shall in like manner as above provided be bound, unless otherwise expressly directed by him, to relieve his executors, or other personal representatives, of all liabilities which he may have undertaken in any contracts or agreements with reference to the execution of improvements of the description aforesaid on the mansion-house and offices of the entailed estate, or any other parts of the estate not under lease, and to repay to such executors or other personal representatives any sums of money which they may be called upon to pay and may have paid in virtue of such contracts or agreements."

That was the first part of the Bill. Of these clauses he was sure their Lordships would approve when they considered the present state of the law. The 3rd and 4th clauses had for their object the removal of another anomaly. In Scotland the laws of entail were formerly much more stringent than the corresponding laws in England. It was possible in Scotland formerly to entail land for ever, and the powers of the heirs in possession were almost *nil*, owing to the stringency of the entailing instrument. In that state of the case the Montgomery Act was passed about 100 years ago, enabling proprietors in possession to spend money upon certain conditions being observed. At a later period Lord Aberdeen brought in a Bill granting a further measure of relief in respect to family provisions. Since that the Montgomery and Aberdeen Acts were the only Statutes under which the old entail laws could be meddled with so as to enable provision to be made for younger children. In 1848 the Ministry of Earl Russell introduced an Act, the object of which was to introduce into Scotland the English principle of limiting the entail to lives in being and one life beyond. But in that Act there was an extraordinary provision reserving the liberty given under the Montgomery and Aberdeen Acts to the old entails, and abolishing it for the new; so that, in point of fact, the result was a greater stringency for the new entails. Their Lordships might ask why the Government of the day introduced a Bill of that kind? Well, it was an incident illustrating the dangers of the course sometimes spoken of, in which the laws of England were to be carried bodily into Scotland—a course very likely, indeed, to prove unwise; for in the two countries these matters were not always regarded in the same spirit, and the habits of life were different. The theory of the law in England was that the owner of an entailed estate had no other power than that which the instrument under which he held conferred. Those who introduced the Act of 1848 jumped at the conclusion that if the same principle were introduced into Scotland, there would, for the future, be no necessity to provide for younger children by law; because such provision would be made by the instrument itself. The consequence was that conveyancers went on drawing deeds of entail precisely as under the old law, and giving no power at all, or a very limited power, with respect to improvements or family provision. This state of things came to the knowledge of the Government, and legislation was passed, making the Aberdeen and Montgomery Acts apply to new as well as old entails. First, there was a Permissive Act, and then in 1868 an Act was passed applying the provisions of these Acts at once to all entails, new and old. The present Government introduced two years ago another Bill, and a very valuable one, too. They adopted the principle of the old Montgomery Act, and very fully amended the schedule of improvements. But, strange to say, this power was again limited to the old entails. He could not help thinking that the point could not have been brought to the attention of the Government; but, at any rate, the result was that persons holding estates under the new entails had not got the advantages of the valuable Act passed in 1875. That he did not consider a reasonable state of things, and the purpose of this Bill was to correct it. The 3rd clause accordingly provided that certain sections of the Act of 1875 should apply to all entails. The remaining clause of the Bill proposed that the heirs in possession of entailed estates, whether holders under tailzies made either before or after August, 1848, as well as such as should be made in future, should have the same power with regard to improvements which the Bill of 1875 contemplated. Since this Bill was brought in, he had had numerous communications from entailed proprietors in Scotland suggesting alterations — one man suggesting one thing, and another dwelling upon another point. He was bound to say, with regard to several of these communications, that he approved of them. But he was exceedingly anxious that this Bill should pass, and he wished to limit it to its own object, and not to introduce debatable matter. It had been under the consideration of the legal bodies in Scotland, and they had suggested one or two alterations which, as far as he read the Bill, did not at all interfere with its principle. However, all these matters could be talked over in Committee, or might be considered by a Select Committee. The Bill was extremely simple in its character, and contained only the four clauses he had explained.

Moved, "That the Bill be now read 2^a."—(*The Duke of Argyll.*)

THE LORD CHANCELLOR said, he did not rise to oppose the second reading—he should give the Bill his support—but to make a suggestion. The subject it dealt with was one of a very difficult character; but the provisions of the Bill did not so much raise questions of principle as of detail, and were, for the most part, of so technical a character as to be unsuited for discussion by the Whole House. He had communicated with the noble Duke (the Duke of Argyll), suggesting to him that the more convenient course would be to have the Bill considered before a Select Committee. He knew there were several Members of their Lordships' House who were greatly interested in the provisions of the Bill, and it might be better that the question should be considered by a Select Committee than that it should be discussed in Committee of the Whole House.

THE EARL OF GALLOWAY said, that the word "improvements" would require to be more distinctly defined than it appeared to be in the Bill as it now stood—for instance, there was the question of railways, or tramways, which the proprietor of an entailed estate might have constructed for the benefit of the estate—but it was questionable whether, under the Bill, this would be considered an "improvement," unless some alteration was made in the 5th sub-section of the 3rd—the Interpretation—Clause of the Act of 1875.

THE DUKE OF ARGYLL would accede to the suggestion of the noble and learned Lord on the Woolsack, and he was sure that any suggestion which the noble Earl had to make would be considered by the Select Committee.

Motion *agreed to:* Bill read 2^a, and referred to a Select Committee.

And, on March 12, the Lords following were named of the Committee:

Ld. Chancellor.
Ld. President.
E. Doncaster.
E. Minto.
L. Elphinstone.
L. Sundridge.
L. Stewart of Garlies.
L. Brodrick.
L. Elgin.
L. Selborne.
L. Blackburn.
L. Gordon of Drumearn.

The Committee to appoint their own Chairman.

House adjourned at half past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 1st March, 1878.

MINUTES.] — PUBLIC BILLS — *Ordered—First Reading*—Statute Law Revision (Ireland) * [122].

Second Reading—Exchequer Bonds (£1,000,000)* [121].

Committee—Factories and Workshops [3]—R.P.

Third Reading — Matrimonial Causes Acts Amendment * [117], and *passed.*

Withdrawn — Judicature Acts Amendment * [91].

QUESTIONS.

COAL MINES ACT—MINE INSPECTORS.

QUESTION.

Mr. MACDONALD asked the Secretary of State for the Home Department, If his attention has been called to the answer of Mr. Inspector Moore to 8,159 question of the evidence in the Blantyre Colliery Explosion, which reads as follows:—

> "I just want to say again that unless a complaint is made to me I have no reason to think that the rules are neglected;"

and, again—

> "I do not consider it my duty at all to go into a mine to ferret out complaints;"

whether such a view of the duty of an inspector of mines be in accordance with the directions as to the duties of an inspector of mines by the Secretary of State for the Home Department; and, further, if such views be correct, what is the object of the forty-fifth Clause of the Act relating to coal mines?

Mr. ASSHETON CROSS: Sir, that certainly is not my view of the duties of an Inspector; but I think it hardly fair to take single extracts from the evidence of Mr. Moore, and to found Questions upon them; because, in conversation with that gentleman, I have found no reason to think that he differs in opinion in any way from me as to what the duties of an Inspector really are. I can afford the hon. Gentleman this information—that I have thought it wise to codify the rules that have been laid down from time to time for the guidance of Inspectors. They are not yet quite complete, but as soon as they are I shall be happy to lay them upon the Table of the House, and the hon. Member will then see that this point is especially guarded against.

NAVY—CHARGES FOR PILOTAGE.

QUESTION.

Mr. DALRYMPLE asked the First Lord of the Admiralty, in correction of a Question put to him on the 18th ultimo on the subject of a payment to a pilot who towed Her Majesty's ship "Nelson" to Greenock, and which should have referred not to the "Nelson" but to the sister-ship the "Northampton," Whether the same pilot, who towed Her Majesty's ship "Northampton" to Greenock, did not receive less than would have been paid for towing a merchant ship of the same draught; and, whether an application for additional remuneration was refused?

Mr. W. H. SMITH: Sir, I am not aware if it was the same pilot who towed both the *Nelson* and the *Northampton* to Greenock; but the pilot who took H.M.S. *Northampton* was paid the full amount due for pilotage by the Admiralty scale—namely, £2 10*s.* 8*d.* per stage, which is 3*s.* 4*d.* less than the sum that would be paid for a merchant ship of the same draught. An application for additional remuneration was made, but was not complied with, on the ground that the scale of payment, which had been framed to meet general cases, could not be altered for the Service in question. The difference between the amounts paid in the cases of the *Northampton* and *Nelson* arises from the fact that for the latter ship an allowance for six days' attendance, in addition to the pilotage, was granted. In the pilotage certificate for the *Northampton*, no mention of any attendance was made.

THE EASTERN QUESTION — RUSSIA AND TURKEY—THE TREATIES OF 1856 AND 1871.—QUESTION.

Sir H. DRUMMOND WOLFF asked Mr. Chancellor of the Exchequer, Whether, during the negotiations for Peace between Russia and Turkey, the attention of Her Majesty's Government, and of the other Powers parties to the Treaties of 1856 and 1871, has been directed to the Declaration signed at London on the 17th of January, 1871, and subsequently adopted by the Government of France, in the following words:—

> "The Plenipotentiaries of North Germany, of Austria-Hungary, of Great Britain, of Italy, of Russia, and of Turkey, assembled to day in Conference, recognize that it is an essential principle of the Law of Nations that no Power can liberate itself from the engagements of a Treaty, nor modify the stipulations thereof, unless with the consent of the contracting Powers by means of an amicable arrangement;"

and, whether any intimation had been conveyed to the Governments of Turkey and Russia to the effect that no engagements taken between them and in any way affecting the stipulations of European Treaties would be valid in International Law until they receive the assent of the other Powers parties to the said Treaties; and that any compact, agreement, or Treaty entered into separately or secretly between the Russian and Turkish Governments affecting such stipulations will be in contravention of the principle of the Law of Nations as laid down by the Declaration in question? The hon. Baronet added that his Question was principally addressed to the news we had received of the re-organization, under a Russian system, of the Bulgarian Principality.

The CHANCELLOR of the EXCHEQUER: Sir, I think the best answer I can give to my hon. Friend is to refer him to what he will find in the Papers already laid on the Table of the House. If he will look at Papers, Turkey, No. 3, 1878, page 5, he will see that on the 14th of January Her Majesty's Government instructed Lord Augustus Loftus to state to Prince Gortchakoff—

> "That, in the opinion of Her Majesty's Government, any Treaty concluded between the Government of Russia and the Porte affecting the Treaties of 1856 and 1871 must be an European Treaty, and would not be valid without the assent of the Powers who were parties to those Treaties."

Again, in Turkey, No. 5, 1878, page 3, my hon. Friend will see that on the 25th of January Her Majesty's Government issued a Circular Despatch to their Representatives at Paris, Vienna, Berlin, and Rome, stating, with reference to the pending peace negotiations between Russia and Turkey, that they could not recognize the validity of the arrangements that might be come to—

> "Unless they shall be made the subject of a formal agreement by the Powers parties to the Treaty of Paris. Her Majesty's Government entertain the hope that the view of the case above stated, which is entirely based upon the Treaties, and more especially upon the Treaty of London of 1871, will receive the assent of the other Powers who were parties to those Treaties."

On the 30th of January—Turkey No. 5—Lord Augustus Loftus telegraphed that he had communicated to the Russian Government the views of Her Majesty's Government as to the validity of the bases of peace, and that Prince Gortchakoff had replied that the bases then being negotiated were—

> "Only to be considered as preliminaries, and not definitive as regarded Europe. His Highness stated categorically that questions bearing on European interests will be concerted with European Powers, and he had given Her Majesty's Government clear and positive assurances to this effect.

POST OFFICE (TELEGRAPH DEPARTMENT)—LUNDY ISLAND.—QUESTION.

Mr. MONK asked the Postmaster General, Whether, having regard to the fact that no local interest would be specially benefited by the establishment of telegraphic communication with Lundy Island, he is now prepared to lay down a cable to that island without insisting upon a local guarantee?

Lord JOHN MANNERS: Sir, I regret that I do not feel justified in laying a telegraphic cable to Lundy Island except under a guarantee. I understand, however, that a company is about to be formed for the purpose of establishing telegraphic communication with the island, and I have informed those mainly interested that the Post Office will carry messages to and from the landing-place of the cable at the ordinary rates.

DISTRICT PROBATE REGISTRY, LICHFIELD.—QUESTION.

Mr. MUNTZ asked the Secretary to the Treasury, there being at present a vacancy in the appointment of a District Registrar of the Court of Probate at Lichfield, Whether he would consider the desirability of leaving the vacancy unfilled until some arrangement could be made to include at least South Staffordshire in the Birmingham Probate Registry, in order to obviate the existing inconvenience arising from so large a number of the inhabitants of South Staffordshire being intimately connected with Birmingham?

Colonel STANLEY: Sir, some little time ago, in anticipation of the present vacancy in the District Probate Registry at Lichfield, I caused a letter to be addressed to the Lord Chancellor, suggesting that when the vacany occurred the question of uniting this registry with that at Birmingham should be considered. No answer has yet been received from his Lordship, but the hon. Member will perceive that the object which he has in view was not lost sight of at the Treasury. The matter depends entirely upon local considerations, and the convenience of the persons concerned, as well as upon the view which the Lord Chancellor may take of it.

DUBLIN METROPOLITAN POLICE—THE ANNUAL RETURN.—QUESTION.

Mr. GRAY asked the Chief Secretary for Ireland, Why the annual Return, containing the details of the receipts and expenditure of the Dublin Metropolitan Police, presented to the House pursuant to Act of Parliament, up to 1869, has been discontinued; whether there is, since the discontinuance of such Return, any means open to the public, or Members, of ascertaining those details of receipts and expenditure; and, whether in English cities the police courts are partly maintained out of local funds, as as they appear to be in Dublin, according to the Return of 1869?

Mr. J. LOWTHER: Sir, the reason why the Return alluded to in the first part of the hon. Gentleman's Question has been discontinued is that a new system of accounts was established in 1868 by the Treasury, under the control of the Public Accounts Commissioners. Since then the total cost of the establishment is voted by Parliament, and the amount of local income or extra receipts is paid over to the Exchequer. Full details of expenditure are given in the annual volume of Criminal and Judicial Statistics of Ireland, and in the Appropriation Accounts. For example, if the hon. Member will refer to page 228 of Appropriation Accounts, 1876-77, he will find a detail of the expenditure. If he will refer to page 106 of "Judicial Statistics" volume for 1876, he will find further particulars as to expenditure. The details as to local receipts are given in the volume of local taxation statistics, presented annually to Parliament. With respect to English cities, I understand that with the exception of the metropolis the police courts are maintained entirely out of local funds. As to the metropolis, the police courts in the City of London are maintained out of City funds, and the metropolitan police courts out of Imperial funds.

THE EASTERN QUESTION—NAVIGATION OF THE DANUBE.—QUESTION.

Mr. GOURLEY asked the Under Secretary of State for Foreign Affairs, If he can state what progress has been made towards clearing the River Danube for navigation between Sulina and Galatz; and, if it is correct that the Russian authorities have placed the management of the river, pro tem. under the supervision of the Danubian Commissioners?

Mr. BOURKE: Sir, we have heard that the Russian authorities have placed themselves in communication with the Danube Commissioners with the view of having the obstruction removed from the Sulina branch of the Danube. The obstruction was placed there some months ago. Her Majesty's Government have not yet heard whether the works have been commenced, nor whether any progress had been made at all in that direction.

METROPOLITAN BUILDING ACT, 1855—ALL SAINTS' CHURCH, LAMBETH.

QUESTION.

Mr. COWPER-TEMPLE asked the Chairman of the Metropolitan Board of Works, Under what statute the Board has threatened to seize the goods and chattels of the Vicar of All Saints Lambeth, for repayment of the cost of repairs of the church executed by the Board, while the Vicar protests that he is not personally liable by Law for such repairs, and that he is not the owner of the fabric in the sense of receiving rents or profits from it?

Sir JAMES M'GAREL-HOGG: Sir, in answer to the Question of the right. hon. Gentleman, I have to state that upon the 9th of May, 1876, an accident occurred in consequence of a portion of the stonework of the tower of All Saints Church, Lower Marsh, Lambeth, falling to the ground, and the structure was afterwards reported as in a dangerous state, and the Metropolitan Board of Works incurred an expenditure of upwards of £100 in executing the necessary repairs. Churches are expressly included within the Metropolitan Building Act, 1855, as "public buildings," and by the 73rd section of the Act of Parliament all expenses incurred by the Board in respect of any dangerous structure are to be paid by the owner of the building. Upon May 10, 1877, the magistrate at the Lambeth police court, after hearing the case, made an order upon the Vicar for payment of £105 19*s.*, 5*d.* and costs; and the Board has been advised that, as owner of the fabric, the Vicar is personally liable to make the payment, but, in order that the question may be decided by the Superior Court, the Board, instead of requiring a distress warrant to issue in a summary manner, directed further proceedings to be taken, in order to ascertain whether the Vicar is personally liable. Until such liability is established by the Courts, it is not the intention of the Board to enforce the order of the magistrate.

ARMY—STRAITS SETTLEMENTS—THE PERAK EXPEDITION—ALLOWANCES TO TROOPS.—QUESTION.

Mr. Serjeant SIMON asked the Secretary to the Treasury, Why the allowances to the officers and men of the Perak Expedition have not been paid, and when they are likely to be?

Colonel STANLEY: Sir, owing to the fact that the forces engaged in the Perak Expedition were drawn partly from India, and partly from other stations, and were in consequence subject to different regulations as regards pay, there has been some question as to the scales on which the extra allowances should be calculated. This, however, has now been settled, and the allowances will be issued forthwith. Indeed I understand that in a few cases, payment has already been made.

MOTIONS.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE POOR LAW—ELECTION OF POOR LAW GUARDIANS.

MOTION FOR A SELECT COMMITTEE.

Mr. HIBBERT, in rising to move—

> "That a Select Committee be appointed to inquire into the system under which Guardians of the Poor in England and Ireland, and Members of Parochial Boards in Scotland, and Members of Local Boards, are at present elected; and to report whether it is desirable to make any change in the manner of conducting such elections, either by the adoption of the ballot or otherwise; and also, whether it is desirable to extend the term of office for which Guardians and Members of Parochial Boards are now elected,"

said, that in 1834 the Boards of Guardians had forced upon them the great work of carrying out the new Poor Law, and it would be admitted that they had satisfactorily performed the duties entrusted to them. Since that time a large amount of the administrative work of the rural districts had been cast upon the Guardians. They had been entrusted with the execution of the Sanitary Acts, and a short time ago the education of the rural districts had been placed in their hands. The machinery by which the Guardians were elected was very well suited to quiet times, but it would not stand the pressure of political excitement. They were elected by a system of voting papers on the principle of the cumulative vote. That system had given rise to various abuses of late years. The Clerk of the Union, who was the returning officer, appointed certain persons whenever there was a contest to go round and deliver the voting papers on a certain day. Formerly two days were allowed to elapse between the delivery and collection of the papers; but an order issued by the Local Government Board last year required that the papers should be collected on the day after they were delivered. No doubt this was an improvement; and yet some of the worst of the abuses which had come to his knowledge had occurred since the new order was issued. He would now state some of these abuses. The first place to which he would refer was Oldham, a town which he had the honour to represent. In that town the election of Guardians had, he was sorry to say, become a political matter. Indeed, all through Lancashire, since household suffrage had been established for Parliamentary elections, all other elections were conducted on political grounds. Last year, in one ward at Oldham, the voting papers were distributed on Saturday, the 7th of April, and collected on Monday, the 9th. That gave an additional day. During the interval persons called, desiring to be allowed to fill up the papers. This was allowed in many cases, and it was afterwards found they had filled them up incorrectly. In some cases the people, on finding this out, rather than allow their votes to be given for a candidate to whom they were opposed, burnt the papers; in others they refused to give them up. In other cases persons called at the houses and got possession of the voting papers, under the pretence of some mistake having been made, promising to bring new papers, which, of course, they failed to do. Unauthorized persons also called on voters, and got possession of their voting papers, which they destroyed or withheld from the collectors. The result was that hundreds of voters were disfranchised and had no means of redress. The same practices were carried out in other parts of the country, numerous instances of which had been communicated to him. The Board of Guardians of Nottingham, in a Memorial to the Local Government Board in 1876, stated that at a recent election a wholesale attempt had been made to tamper with the voting papers. In a district numbering 100 houses, no voting papers had been delivered at all. The missing papers were found in other collectors' bags, all filled up for the same candidate and in the same handwriting, and were rejected by the returning officer on the ground that the signatures were forgeries. The Guardians also went on to say that the system of election which had been adopted opened a wide field for bribery and corrupt practices. The same Board of Guardians had written to the Local Government Board this year, pressing upon them the necessity of making an alteration in the mode of election, and the tenure of office. They asked the Local Government Board to authorize the election of Guardians for three years, one-third of the number to retire annually. Nor were complaints on this subject confined to provincial towns; they were heard also in the metropolis. Great abuses had been discovered in the St. George's Union, Westminster, and he believed the Local Government Board had been asked to hold an inquiry. A very good plan was adopted there of engaging the police to deliver the papers; but a man in one district followed the policeman and delivered at the same time another paper in favour of four candidates. A gentleman who saw this done in Ashley Place for some time, and saw the man place the second paper within the voting paper, remonstrated with the policeman; but the policeman said he did not know he was doing anything wrong, because he supposed the man was employed officially. If such an affair could occur even when policemen were employed, he thought they required greater protection in carrying out such elections. He had received statements on the subject from all parts of the country. A gentleman wrote from Prescot to say that he had three times contested the parish, and the result of the election simply depended upon the quantity of beer given away. In a colliery district of Lancashire the manager of one of the collieries compelled all the men to bring their voting papers to the office to be filled up, and sent men back to fetch their papers who came without them. In the autumn of last year he (Mr. Hibbert) presided at a conference of Guardians of Lancashire and Cheshire, and a resolution was then come to, in favour of a revision of the system, and an alteration of the tenure of office. It was then stated that in the West Derby Union, persons employed to deliver papers gave them promiscuously to passers by, and others abstained from discharging their duty at all. It was also stated that in Manchester the delivering officers went round with a bottle of gin in one pocket and a bottle of brandy in the other, and the papers were marked by them in the houses. If such practices were carried on in a great number of places, he thought the House would agree with him that the time had come for a revision of the system. It was no doubt a good one at the beginning for securing quiet elections, but it was not adapted for populous towns. In country places where there was little excitement it could be carried out very well. He could not avoid drawing attention to the fact, that in many of the local board districts they might have four different systems of election carried out. The members of the local board and the Guardians might be elected by voting papers; if there was a burial board the members would be elected by personal attendance at the vestry room; if a school board election had to be carried out, they had the ballot and the cumulative vote. There was, in fact, a perfect chaos of system. There was an election for the burial board on the 26th of March; on the 5th of April for the local board; and on the 9th of April for Guardians. The voting papers, where there was a contest, were collected by different sets of men; there was a different returning officer in each case; and the ratepayers were, therefore, put to much additional trouble, and the locality to additional expense. If there was but one election for all these purposes on one day, and one nomination paper, it would be a great advantage. Then there was the question of small parishes. There were between 14,000 and 15,000 parishes where an election of Guardians must be held. Many of these parishes were very small indeed. In Northumberland, where the parishes were smallest of all the counties in England, there were 113 parishes with a population in each under 50; 109 parishes with a population between 50 and 10; one parish with a population of only 1; one with a population of 3; two parishes with a population of 4; one with a population of 5; four with a population of 6; three with a population of 7; and three with a population of 9. It was almost absurd to conduct elections of Guardians in these small parishes. In the South-Eastern counties there were 66 parishes, each of which had a population under 50; 181 with a population of between 50 and 100; and 163 with between 100 and 200. He thought the Local Government Board should consider the question of relieving these small parishes from the important duties now imposed on them by law. With regard to the mode of election, hon. Members would of course gather that he was in favour of the ballot. He would, no doubt, be met with the objection that the ballot was expensive; but the number of contests in the country was so small that he did not think it would prove very expensive. In 1873 there were only 601 contests out of 14,000 or 15,000 elections, in 1874 only 681, and in 1875 only 720. He therefore thought the expense should not deter them from the adoption of the ballot. The Guardians were called upon to undertake very important duties, and by the County Government Bill still more important duties were assigned to them, such as the election of members for the county board, and, therefore, the mode of election for Guardians ought to be as pure as possible. By the present system of voting papers they did not obtain the real opinion of the electors. Owing to the intricacy of the voting papers many of them were useless. In the Chorlton Union, Manchester, out of 11,000 voting papers distributed in one township, only 2,531 were returned as good votes; in Aston township, Birmingham, in 1877, out of 32,000 voting papers distributed, only 5,192 were good votes. By the ballot they would get the real opinion of the electors. In proposing to adopt the ballot he entirely disclaimed political views; but he thought it one of the surest and best means of remedying the great abuses of the present system. He now came to the question of the tenure of office. The tenure now was for one year, and he had never yet met with any one who took part in local government who was not in favour of an extension of that time. He did not think the time was long enough to enable Guardians, however clever they might be, to become thoroughly acquainted with their duties. No doubt the Local Government Board had power, with the consent of the majority of the owners of property and the ratepayers of any parish, to extend the term of office from one to a greater number of years; and, he believed, the term had been extended in several instances. He did not think it desirable to add to the chaos which already existed by having Guardians elected in some Unions for only one year, while in others they were elected for three years. Every other board had now to be elected for three years. The members of the metropolitan vestries, the provincial municipalities, the local boards, and the school boards were elected for three years, and in the case of the former, one-third of the members retired annually—a detail which he was inclined to think it would be well to adopt in the case of Guardians rather than to incur the risk of so great a change in a board as would be possible if all members retired at the same time. He knew it might be said there would be a difficulty in the way of this in the case of a small parish returning but one Guardian; but to obviate this difficulty, three small parishes might be combined for the election of three members, so that one could retire annually. In Ireland there was a strong feeling in favour of the election of Guardians by ballot; indeed, Bills to legalize it had been before the House in former Sessions, and there was one at the present time. He therefore proposed to embrace Ireland in the inquiry. He had, at the request of several Scotch Members, also included the parochial boards of Scotland. And he was told by them, though he could not vouch for it himself, that great abuses had taken place in some of the large towns of Scotland in the carrying out of the system of voting papers. The abuses which occurred in that country were very similar to what occurred here. It seemed to him, besides, that Scotland was in a worse position than England, because nearly every parish in the country elected its managers on a different day, this being fixed in some cases by the boards themselves, and in others by the magistrates, so that, in fact, they had in Scotland elections taking place nearly every day in the year. Every year additional duties and responsibilities were being cast upon Guardians, aad it was therefore of increasing importance that their election should be carried out in the best manner possible. The hon. Gentleman concluded by moving his Resolution.

Mr. PELL, in seconding the Motion, said, he advocated inquiry without pledging himself at all as to the views which the terms of the Resolution might be supposed to indicate. He trusted the inquiry would be an open one, and that it would not in any way be limited by the terms of the Reference. He thought the feeling of the House and of the country was in favour of inquiry, not only into the office of Guardian, but also into the mode of election and qualification for other parochial offices. A different qualification was required for a Guardian from that for a member of the highway board, a burial board, or a local board, and in some respects each differed from the other. In fact, the qualifications of the members of the different boards varied almost as much as the modes of electing them. In the election of highway boards a person rated at over £50 had a vote for every additional £25, but for local boards, only one vote for every £50. There was also inconvenience affecting the votes of owners, who, in some instances, lost their votes if they had not formally claimed to be put upon a register. There were further anomalies in regard to plural voting. He thought a good case had been shown for inquiry, if for nothing more. In regard to the proposed election of Guardians for three years, he thought now there was a prospect of the establishment of county boards, there was a reason why the Guardians should hold office for that period. He thought the election should be annual, and preferred that one-third should go out annually than that the whole body should go out at the end of three years.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the system under which Guardians of the Poor in England and Ireland, and Members of Parochial Boards in Scotland, and Members of Local Boards, are at present elected; and to report whether it is desirable to make any change in the manner of conducting such elections, either by the adoption of the ballot or otherwise; and also, whether it is desirable to extend the term of office for which Guardians and Members of Parochial Boards are now elected,"—(*Mr. Hibbert*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. W. E. FORSTER said, his hon. Friend the Member for Oldham (Mr. Hibbert) had made out so clear a case for a Committee that he did not think the discussion could continue long. One ground, however, which his hon. Friend had passed lightly over seemed to him a strong ground for inquiry, and that was as to the working of the system in purely country parishes. He (Mr. W. E. Forster) believed the present system worked in the country as they might expect it would work, and that was very badly. He did not think it would be possible—it certainly would not be easy—to form any system of voting which would give so much room for illicit influence as the present. A man received a voting paper on the Monday, say, and it was not returned till the Wednesday, or even later. For the whole of the intervening time until he signed his paper, he was open to influence. In rural districts this influence was openly used; but in most places the effect of the present system was that there was hardly any attempt at any election at all. He thought there was another reason why they should grant the inquiry, and that was the very important position which the Guardians were going to occupy under the Bill which had been brought in by the Government. He would not stay to discuss the ballot; but he would say that he believed they would have to adopt it for the election of Guardians, as they had already been obliged to do for Members of Parliament and school boards. Very little fault had been found with that mode of election; at any rate, so far as the fairness of election, and the advantage to the constituencies were concerned. There had been some complaint about the expense this would entail upon a parish; but he did not think a large expenditure necessarily attached to election by ballot. He believed an arrangement might be made to obviate it; but he thought the Government must feel that, perhaps, the strongest ground for an inquiry into the election of Guardians was to be found in what they were themselves doing. The most important Bill they had brought before the House had reference to county government; and by this Bill, as had been stated, the Boards of Guardians were made into electoral colleges. He was sorry the Government had framed the new system on the principle of indirect election; but, looking to their own proposals, they must recognize that this was an opportune time to thoroughly consider the way Guardians were elected. If the Committee were granted, the inquiry ought to embrace plurality of voting, the inconsistencies of which had just been pointed out; also cumulative voting, which had been in operation for some time, and the feasibility of grouping together small parishes for the purposes of elections; indeed, the terms of Reference should be wide enough to allow of the inquiry being as complete as possible.

MR. WHEELHOUSE desired that the inquiry should also be extended to the case of town councils which were nothing more, in many instances, than local boards; indeed, often far more so, and exercising far greater powers than many of the smaller local boards. The inquiry was more peremptorily needed in the case of corporations than in any other class of so-called local boards; and he ventured to assert that no inquiry could be either exhaustive or complete in which town councils were not included. There was another matter to which he desired to call attention—namely, that in the course of such an investigation as that now proposed, it would be well to consider how far it was practicable to change the season of the year for holding all these smaller fixed elections, so as to have them, on some day or days during the summer months, instead of, as was now the case, holding many of them in autumn or mid-winter. Take, for instance, the municipal elections to which he had referred. These being fixed by statute for the 1st of November, they were necessarily brought to a close in the gloaming of a winter's afternoon, whereas it was, on every account, desirable that, if possible, everything connected with elections should take place in daylight, an advantage which could be secured only by changing the day of election to one of the summer months.

SIR THOMAS ACLAND also trusted that the Committee would consider the advisability of grouping thinly-populated rural parishes for electoral purposes, and the dividing of Unions and highway districts in the best manner for the collection of votes.

MR. J. G. TALBOT said, he was not going to oppose the Motion, though he could not say that he regarded it with any particular satisfaction; he thought they had had enough inquiries already, and that it was better to finish what they had before embarking on fresh ones. At the same time he was ready to admit that the hon. Gentleman had made out a tolerable *primâ facie* case for what he now asked. His neutrality was, however, only conditional on the words about the ballot being withdrawn. Indeed, if the ballot was retained he should not only not support it, but he should most decidedly oppose it. He had no love for the ballot in any form; but he believed that if it was adopted here it would be fatal to plurality of voting, for the voter by ballot could give only one vote, and that would do away with all representation of property, which was the characteristic of these elections. It would throw the control of the representation into the hands of the class amongst whom were now the recipients of out-door relief, and when they came to consider the question of whether out-door relief should be continued—which they would have to do shortly—there was no doubt as to which way this class would give their votes. The right hon. Gentleman the Member for Bradford appeared to object to the leaving of voting papers, on the ground that it subjected the vote to undue influence; but he would point out that there was such a thing as "due influence." He thought a voter was very often in a better position to give a conscientious vote on the second than on the first day: he had had an opportunity of talking the matter over with his wife and family and friends. The House must remember that it was not a question of aye or no on a particular point, but it was a matter of selecting two or three from a list of perhaps a dozen submitted to him. If the hon. Gentleman was anxious for a Select Committee he did not wish to grudge him the opportunity of inquiry.

Mr. GRAY said, he wished to remark, as one who had introduced a Bill upon the subject with reference to Ireland, that the adoption of the ballot would not necessarily abolish the plural vote. In his Bill it was provided that every elector should receive a paper for each vote to which he was entitled—that was to say he would get four, five or six papers instead of one, and he could accumulate his votes or distribute them as he pleased. Reference had been made to the question of due and undue influence; and certainly there were influences of both kinds, and due influence could be exercised between the day of nomination and the polling—and influence brought to bear after the voter had received his paper was undue influence. But all he wished to say was, that as regarded Ireland, in no part of the United Kingdom was reform in the election of Guardians more required. Since he had taken in hand the Bill to which he had alluded he had received quite a number of letters giving accounts of undue influence exercised upon voters in Ireland, more especially in the rural districts. All these correspondents requested their names not to be mentioned. One of these letters was from a gentleman who was a candidate in 1866, and he described the opposition made by his opponents. Two bailiffs were employed to stand at the door as the people came out of chapel and speak to them about the election; another letter detailed the hostility exercised towards him by which he was several times defeated through the influence of the law officers, the officers of the Union, and the land agents, because he had put the law in force in sanitary matters. Another correspondent mentioned cases in which poor voters, after an election of Guardians were deprived, in consequence of the way in which they had voted, of the right of pasturage for their sheep and of cutting turf, as well as other privileges. The agents assigned some other cause for their action; the people dreaded such treatment, and feared to give information of particulars. Other letters were written in the same strain, but he would not trouble the House with repetitions. One case, however, he might mention. A landlord opposed a particular candidate, and for several elections that candidate was defeated. At last, however, he was successful; but the landlord put such pressure upon his tenants that, out of pity for them, the successful candidate resigned his seat rather than see his supporters suffer for having exercised their franchise too freely. It was possible that some of these cases were not quite true, or were exaggerated; but where this opinion existed, it showed that it was time some reform was introduced in the mode of election, and he trusted the Government would accede to the Motion for a Committee, and he should be quite willing to refer his Bill to that Committee for consideration. He had had some experience of these local elections, and was led to believe that a yearly election was undesirable. Election for a longer period was to be preferred, say for three years; but a system of partial yearly election brought about a state of stagnation in the elected body upon which it was difficult to bring public opinion to bear its part. Hon. Members on both sides must agree that this feeling of stagnation was one of the greatest evils of local bodies, and it generally happened that when a man once got in he kept there until he died or resigned. There was a chance of removing the evil by the election every year; but by a system of partial election that reform would never be introduced. He was strongly in favour of election every three years, and he hoped the Motion would be assented to, and a full inquiry show where reforms were necessary.

Mr. HANBURY said, he hoped the Government would assent to the Motion for inquiry; but, at the same time, he trusted that they would not be driven to assent to it except on the condition that the question of the ballot was not to be admitted into it. He had been returned to support the introduction of the ballot in Parliamentary Elections; but it seemed to him that there was a real distinction between the best mode of Parliamentary Election and the system most advisable in the case of Boards of Guardians. The distinction, of course, lay in the very different questions with which the two bodies had respectively to deal. Whether a man was a mechanic or a scholar, he could not possible understand the immense number of questions which Parliament had to decide, nor did even the candidate himself pretend to be able to do so. The necessary result was, that both inside of the House and outside, parties grew up by the adoption of general and divergent lines of policy; and a man had to bear the odium and inconvenience of belonging to one party or another—often, perhaps, paying the price of his vote by the loss of friends or of work. Certainly a great reform was carried when a man was able, for the first time, to give his vote on great questions without fear, though it was impossible to help feeling that the advantage had been obtained at the cost of manliness and frankness—the two best elements of our public life. But, passing to the election of Local Boards, the case was wholly different; questions of theory or of high politics were not involved, and all that was necessary was to elect plain men of business. The borough of Birmingham afforded a striking example of the ill-effects of introducing politics into business matters. In that place every one, from the Mayor to the chimney-sweepers, was a Party man, and the system of bribery was carried on in the most open fashion, the result being that when administrators had to be chosen the borough lost the services of one-half of the community. Party spirit was necessary only where a multiplicity of questions had to be decided, and was no more beneficial on a local board than on a board of railway directors. If that were so, all the hatred and risk sometimes incurred would disappear, and everyone would be free to vote without danger, as there would be no permanent division of opinion as in politics, and no great principle would be involved in the act of voting. Of course, the question was one of degree; yet all these considerations had influenced his mind, and though he would screen and protect a man who had to vote on a great principle, he would not sacrifice so good a characteristic of our political life as the practice of open voting for the sake of persons dealing merely with petty details. As for the pressure brought to bear on the voters, he believed that it was exercised less by the masters themselves than by the trade union. Before the ballot was granted in Parliamentary Elections, he was bound to admit there was a considerable demand for it, and the feeling of the country was to a large extent in favour of it. But had they any kind of a demand for the ballot in elections for Boards of Guardians? So far from there being a demand for the ballot in the exercise of the vote in the elections of Guardians, they found that hardly 1 per cent of of the ratepayers throughout the country exercised their right of voting at these elections, and it could hardly be supposed that those who did not vote abstained because they could not vote by ballot. He could not understand how it could be possible for the Government to yield on this point, which he considered was quite uncalled for; and he hoped they would strike out that portion of the Motion which applied to the mode of conducting the elections.

MR. RAMSAY said, he thought the House must have made up its mind that an inquiry into this subject was desirable. The hon. Member for Oldham might very well meet the views of hon. Gentlemen opposite who were so much opposed to the ballot by omitting from his Motion the reference to that mode of election, and leaving the Committee to consider the whole question He hoped, however, it would be understood that they had perfect freedom to consider the question of the ballot, and any other question affecting these elections. His object in addressing the House was to suggest to the hon. Member for Oldham that, so far as Scotland was concerned, it might be desirable to extend the scope of the inquiry to the constitution of parochial boards. He ventured to make this suggestion, because Her Majesty's Ministers in the course of the present Parliament had on more than one occasion laid before the House plans for modifying the existing law, and had introduced Bills for altering the existing constitution of local boards. These Bills did not pass through Parliament in consequence of the opposition raised to them. The opposition to these measures was so great that they were ultimately withdrawn; but he thought it would be an advantage now if the Government would authorize the proposed Committee to inquire and consider the expediency of making a change. He had no preconceived view as to what change should be made; but he thought it would be well for the Committee to consider whether a change in the constitution of the boards was desirable. He trusted the hon. Member for Oldham would accept the suggestion of the Government.

MR. SCLATER-BOOTH said, the House seemed tolerably unanimous in its wish that this Committee should be appointed, and he must say that the Government never had any other feeling on the subject than to acquiesce in the Motion of his hon. Friend. It was on the Paper for many weeks last year, and an intimation was then made that the Government would not be indisposed to consent to this inquiry as a thing desirable to have. He was glad that his hon. Friend had drawn attention to the provisions of the existing mode of election as applicable to rural as well as to urban districts. They had found that a mode of election which had been in existence for many years was tolerably well calculated to meet the requirements, and had worked with good results in the rural districts. But as regarded the people of the populous parts and places of the Kingdom, it was understood that there was need for inquiry, if not for change. He might refer to the remarkable figures—that, of the 15,000 parishes into which the country was divided, the average number in which contests occurred amounted only to between 600 and 700. But if they analyzed the circumstances of these contests, they would find that they happened chiefly in populous parts of the country, and that in many of the places the elections were mixed up with political feelings. Nobody disputed that, and he need not shrink from stating it. He was quite willing that the question of voting papers should be considered. As to "the manner of conducting the elections, either by the adoption of the ballot or otherwise," his course was not so clear. Of course, he did not mean to say that the Committee should be excluded from entering into the question of ballot or no ballot. It would be absurd at this time of day to exclude it. If there were any means by which the ballot could be combined with the system of voting papers, and with plural and proxy voting, he, for his part, should not be afraid of it, provided only that the recommendation was not made use of to vivify local life in any particular form, or to excite contests and produce differences in those parts of the country where there was no occasion for any interference. But he would point out to the House that it was not a simple question whether the ballot should or should not be applied to these elections. It was a complex question. The election of Guardians of the Poor had been fenced round with an *æs triplex*—namely, voting papers, vote of owners by proxy, and the plural vote. He did not pretend to say that these safeguards were incapable of modification. It should never be assumed that what was laid down in the Act of 1835 was to be stereotyped for ever; but he hoped his hon. Friend would consent to these particular words being excluded, and take the Committee, as it was the obvious intention of the House it should be taken. He would just remind the House of the great importance of the subjects which from time to time might be put to the ratepayers in elections of Guardians. In times of strikes, or of great local distress, the question of out-door relief would be a most dangerous thing to submit to the vote without any restrictions. It was quite evident that, when they came to a question like out-door relief, they must be extremely careful. The number of cases in which complaints of improper proceedings at the election of Guardians were brought to the test of judicial inquiry was very few indeed. There was a power vested in the Local Government Board to order a judicial inquiry; but many of the complaints were settled by a sort of arbitration or by written communications, and a great many others were dropped on different grounds. Still, it must be admitted that after each annual election, a large number of complaints were received from places where contests had occurred, and that fact gave the impression that there was good reason for instituting an inquiry as to whether the present mode of voting worked satisfactorily or not. It had been suggested that the question of simultaneous elections might also receive consideration, and that Scotland and Ireland should be dealt with by the Committee. He would, however, advise the hon. Member to be careful not to extend the inquiry unduly. By the terms of the Reference the Scotch and Irish modes of electing Guardians would come under the notice of the Committee; but he thought that the constitution of parochial boards in Scotland almost went beyond its proper scope. It had been proposed that some power should be given to the Committee as to the grouping of small parishes for the election of Guardians; but he doubted whether it would be desirable for the Committee to enter into that subject. The Local Government Board now had an absolute authority to group small parishes, and within the last few days he had issued an order having reference to a certain Union in the county of Northumberland, to which reference had been made, which would have the effect of extinguishing, as regarded the election of Guardians, a number of such parishes. At the same time, when the House was disposed to look with favour on every element of local representation and independence, one could not but feel a reluctance in extinguishing that important function in any parish entitled to be represented in a Board of Guardians. With respect to the annual elections, as now conducted, there was no doubt much to be said both for and against that system. On that point he could only repeat what he had said the other night, that the question was, with him, a perfectly open one—that he did not wish in the least to prejudge it. At the present moment the desire for triennial elections, strange to say, proceeded from those populous places where it might be supposed that nothing was so much delighted in as contested elections. Complaints had come from Oldham and Bethnal Green as to the trouble, annoyance, and expense of annual elections, and a wish had been expressed to have the elections held once in three years. He was bound to say that those complaints came not from the ratepayers, but from Guardians themselves. He had no objection to those triennial elections, and at that moment an order had gone down to Nottingham, Coventry, and several other places, with a view to facilitate the trying of the experiment. It was reasonable that three years should be given to Guardians, in order that they might become experienced in their duties, and that was a matter which might be fairly considered by a Select Committee. The question as to one-third of the Guardians going out every year was one on which he would not trouble the House; but there were objections to introducing that principle into the Unions, because it would not remove the turmoil and other disadvantages connected with annual elections. There could be no doubt that Guardians might be chosen for three years as members of school boards and other local bodies were now. That discussion had been satisfactory as exhibiting a remarkable unanimity on both sides of the House. Nobody could doubt that they had arrived at an important point in regard to the functions of Guardians in relation to local government. He would ask the hon. Member to withdraw his Motion at that moment and put it on the Paper for as early a future day as he thought proper, when the Government would be quite willing to consent to its being again moved without further opposition or debate. He made that request because suggestions had been thrown out from various quarters which deserved to be more carefully considered than they now could be, and also because it would be well to eliminate from the Motion the alternative as to the ballot, which might be misleading as it now stood. It was, moreover, important that proposals of that kind should not be carried in the inconvenient form of Amendments on the Motion for going into Supply.

SIR EDWARD COLEBROOKE trusted the hon. Member would not allow his inquiry to be encumbered by acting on the suggestion of the hon. Member for the Falkirk Burghs (Mr. Ramsay). It was desirable, in his opinion, that an inquiry should be carried on separately for Scotland. There were great reasons, on the other hand, why the inquiry should be a general one, and should consist of Members representing the United Kingdom. It would not, however, carry any weight in Scotland, unless Scotland was adequately represented; and if it was proposed to extend the inquiry to Scotland, there should be at least two Members connected with the urban and two with the landed districts—

the two being distinctly interested; and he did not think the inquiry could be adequately conducted without these. No doubt a demand would be made on the part of Ireland. It would be for the hon. Member to consider whether there would be space enough for these Members without making the Committee too large. If it was to be a united Committee, information from Scotland and Ireland must be brought to bear on the whole of the United Kingdom. He admitted the great advantage and simplicity of carrying on several elections at the same time; but, with reference to school board elections, there were questions of Church feeling, and he should be rather afraid, if they had simultaneous elections, that the same feeling might be introduced into the election of Guardians.

Mr. HIBBERT, in reply, expressed his thanks to the right hon. Gentleman for the way in which he had dealt with the subject. He should be very glad to assent to the right hon. Gentleman's proposal as to an alteration of the terms of the Motion—as to the exact terms of which alteration he must confer with the right hon. Gentleman—on the understanding, of course, that the Committee would be allowed to enter upon the question of the ballot and the other questions which had been raised. On that understanding, he should be glad to withdraw the Motion for the present.

Amendment, by leave, *withdrawn.*

CUSTOMS—THE WINE DUTIES.

MOTION FOR A SELECT COMMITTEE.

Mr. W. CARTWRIGHT rose to call attention to the present system of levying Customs Duties on Wine, and to move—

> "That a Select Committee be appointed to inquire into the present system of levying Customs Duties on Wines."

It would, he said, be within the recollection of hon. Members, that two Sessions ago he brought forward a similar Motion. It was not necessary for him to state why he did not press his Resolution on that occasion, but he did wish to explain why he did not bring it forward last year. Two years ago the Commercial Treaty with France was approaching its termination, and, being convinced that the question of the wine duties deserved attention, he at that time thought the matter should be fairly met. Last year it was known that negotiations were pending on the subject of the Commercial Treaty with France, and it was also known that these wine duties were an important feature in those negotiations, and he felt that to ask for such a Committee as he now proposed would only have been a source of embarrassment to the Government. But now it was different; and, as a matter of fact, those negotiations had been suspended for the present—not only suspended, but postponed almost indefinitely. Under those circumstances, there was no reason why he should not bring forward his Motion. It was commonly said, and commonly believed, that this was a matter intimately connected with the integrity of the fiscal system of the country as far as it depended on the revenue derived from the duty on spirits. That was one of the greatest fallacies that ever existed, and that opinion had been challenged by those outside as well as those who held the garrison of our fiscal system; and it had been combated with remarkable force by many authorities. Surely, then, if he could show that there was a controversy and conflict going on within the area of official circles, he had made out a *primâ facie* ground for an inquiry. Then there was another reason why this matter should be considered by a Committee. It was a question which had never been the subject of a Parliamentary Inquiry, and the assessment existing now was arrived at in a fog. It was arranged at a time when there was no technical knowledge, without which it was impossible to arrive at a fair, equitable, and, he might say, scientific basis. The only Parliamentary Committee that ever sat on this question was one in 1851, in the days when, as the right hon. Member for Greenwich (Mr. Gladstone) said, those who were engaged in the trade, from the state of the law, really had no knowledge of what constituted natural wine. He must say a few words as to the circumstances under which the assessment was really arrived at. It was arrived at in 1860, at the time of the French Treaty of Commerce. The object of those who were engaged in framing the new regulations were, as the right hon. Member for Greenwich said at the time, to secure the greatest possible amount of simplicity of operation, and the application, as far as possible, of the lowest duties for natural wines. The right hon. Gentleman also defined natural wines to mean the juice of the grape with only that amount of spirit as to make it fit for the market. The result was that neither one nor the other object was secured. He should show that the system was not simple, and its operation did not, as it was intended, secure the lowest duties for natural wines. At that time, in consequence of the state of the law, as already said, there was a general absence of knowledge in regard to wines, and a very curious hitch arose at the outset. What took place when the present unsound standard was fixed was curious as a matter of history. When the negotiators concluded their work, it was evident that they did not know themselves what they had done. Wine was tested by an instrument called an alcoholometer, which was something of the nature of a thermometer. As everybody knew, our thermometer was that called Fahrenheit, while in France they used the Centigrade. By Fahrenheit, if the thermometer stood at 32°, hon. Members would expect to find it freezing, but in France 32° by the Centigrade represented a temperature somewhat of the hottest. Nobody would think of confusing the two thermometers, but that was exactly what the negotiators did with the alcoholometer. They placed the strength at 18°, but they did not know that by the French alcoholometer that would represent 32°, according to the one in use with us. When the French traders brought in their wines, under the conditions as they thought, of the new Treaty, they were stopped at the Custom House as considerably over the strength represented by 18° of the English standard. The result of that was that some fresh understanding had to be arrived at—the blunder had to be remedied, and it was arranged by a happy-go-lucky compromise. As a compromise they took 26° as a sort of half-way figure between 18° and 32°. That was the way the present figure was arrived at. He wished the House to bear that fact in mind, not because it had immediate bearing on the subject of his Motion, but as one pregnant of illustration of the imperfect knowledge of the subject under which the arrangement in regard to the present assessment was arrived at. He would now ask the House to look at what was the practical effect of the present scale. All wine, the alcoholic strength of which was below 25·9 per cent, was admitted at a duty of 1*s.* per gallon; but if it was a single decimal per cent above that strength, there had to be paid on it a duty of 2*s.* 6*d.* per gallon, which amounted to a differential duty of 150 per cent. The only argument there was in defence of that system was, that unless that extra charge of 150 per cent was maintained, the whole principle of our spirit duties would be infringed, and therefore that its maintenance was necessary as a safeguard of the revenue from that source. Now, he would ask the House one question. Was there any other commercial country in the world which adopted the same assessment? There was not one of them did so, although many of them were wine-producing countries, which might well be affected with a disposition to protect their own produce by heavy duties. France was one of those wine-producing countries, and she certainly had not been slow to take to protection; and yet, instead of having a standard of 25·9, the standard there was 36·75; so that a merchant could import into France from Spain or Portugal wines up to the strength of 36·75 without being called upon to pay any additional duty. Again, as regarded the necessity to defend the revenue derived from spirits, the duty in France was only 3½*d.* per gallon on wine, whereas the duty on spirits was 6*s.* 8*d.* per gallon. When there was such a vast difference as that between the duty on the one article and the duty upon the other, one must conclude that there was a great temptation held out to illicit distillation, if practicable; yet in France it was not the case that the Revenue was so defrauded, on testimony of the highest authority. The system adopted in this country very soon gave rise to complaints on the part of several wine-producing countries, that their products were subjected to an unfair differential duty; and those complaints acquired such force that they at length became the subject of a Government inquiry. There was a Blue Book which contained the Correspondence which passed between the Board of Trade, the Board of Inland Revenue, and the

Board of Customs, and which arose out of the complaints made on the part of those countries. They felt that there was a grievance in the shape of a differential duty, and that the system demanded attention upon more grounds than one. The Board of Trade took the question up, and said justly that the considerations resolved themselves under two heads—whether, as regarded the Customs, any alteration in the wine duties to a standard above 26 degrees would, as a consequence, admit an importation of beverages—compounded liquors—not real wines, but fraudulent mixtures, which the Board of Customs could not stop or find means of detecting on importation; and whether, as regarded the Board of Inland Revenue, if these compounds were once allowed to be brought in, illicit re-distillation could be prevented. The Board of Trade elaborately considered both these questions, and arrived at its conclusion—which was to the effect that, as regarded the re-distillation of spirits from nominal wines, or the substitution of cordials for wines, there was no room for apprehension. It was further said that precautions could be taken by the Customs to prevent irregularities, and distinct suggestions for such precautions were advanced. The Report made was submitted, in the course of official procedure, to the Boards of Customs and Inland Revenue, and both of these authorities reported on the subject; but he ventured to say that no hon. Member who looked at the Board of Customs' Report would be able to state that the case submitted by the Board of Trade was fully grappled with. The answer of the Customs was simply the utterance of *non possumus.* It confined itself to observations which had to be taken upon trust, and there was an absolute omission to take into consideration the practical suggestion made by the Board of Trade. The Report of the Board of Inland Revenue was more elaborate, and sought to show that any reduction in the wine duties would result in affording very great temptation—and one which it would not be possible to counteract—to bringing in fictitious, or Hamburg sherries, which were in fact only spirit mixtures, and re-distillation from which it would not be possible to stop when they were once allowed to be freely introduced, and that therefore a considerable loss would result to the Revenue from spirits. He took exception to the allegations which were advanced, and which they were asked to accept mainly upon trust, and that was one of the grounds why he now asked for the appointment of a Select Committee—namely, that the arguments which had been advanced by the Boards mentioned were not quite valid. He understood from competent authorities that by the application of certain instruments no fictitious mixtures could pass into this country without detection. There was, however, a case for inquiry. The whole of this subject, as regarded the facility for illicit operations, was one of controversy. The Board of Customs did not subject now certain articles to duty from which spirit could be easily distilled—namely, molasses, cider, and other things; and there were now facilities, as regarded freedom from duty, for deriving spirits from certain mixtures, if it were found possible to carry on the business, without fear of detection by the Board of Inland Revenue. Moreover, he would remark that, notwithstanding the opposition of the two Boards, the Government concluded in favour of a reduction of 20 per cent, and by that conceded what he advocated in principle, for his case was that neither the present duty, nor the present assessment were essential to the integrity of our fiscal system. The reduction proposed had not been acted upon. The Government then again referred the matter to the Boards of Custom and Inland Revenue for them to consider whether the 20 per cent reduction might not be increased. The Customs stood by their old lines, and the Inland Revenue advanced further arguments against any concession. The Board of Trade, however, thought it could be demonstrated that it would be perfectly possible, without loss to the Revenue, to make a further reduction in the duty. At any rate, he ventured to think that he had made out his point that there was such a conflict of opinion between these Boards, and controversy upon the subject as to data and facts, that there ought to be a public inquiry by a Select Committee of the House. He conceded it was the intention of the framers of the present system that only a natural wine should be admitted; but he contended that the data on which it was laid down that wine above 26 degrees could not be regarded as natural wine was fallacious. Lord Derby, in his despatch to the Portuguese Government in 1876, said the only scientific data on the subject was that furnished by the experts sent out by Her Majesty's Government, in 1861, to test the strength of wines. These experts operated upon 17 samples of Portuguese wines, and, finding 12 below 26 degrees, arrived at the conclusion that natural wine was not above this standard; but the vintages of these wines were only two or three months prior to the examination, and they were consequently not completely fermented when tested. Wines so recently made were not at their full strength. They had heard a good deal about Australian wines, one of the great Customs authorities a few years ago saying that without artificial alcoholization it was impossible they could be above 26 degrees; but since then an examination of 200 specimens by the Customs authorities showed that five-eighths were above this. He thought there was a doubt and controversy about the whole question which justified an inquiry. He saw the hon. Member for Youghal (Sir Joseph M'Kenna) had an Amendment on the Paper, and they would no doubt hear now, as they had heard before, something about the imperilled spirit interests in this country. But he (Mr. Cartwright) wished to reduce the duties on wines above 26 degrees, because at present they were most unfairly handicapped as against spirits. The great bulk of the wine exceeding 26 degrees brought into this country ranged from 26 to 36 degrees, that ranging from 36 to 42 being very small in amount. For these 10 degrees—above 26—the importer paid 1*s.* 6*d.* duty per gallon, whereas the duty on the same amount of spirits was 1*s.*, so that such wine paid 50 per cent more duty. The effect of this was that the importation of these wines between 26 and 36 degrees had fallen very much behind those of pure alcohol and cognac. Between 1861 and 1877 he found the importation, and consequently the consumption, of the wines that would be affected by any alteration of the duty had only doubled, while the importation of cognac had during the same period quadrupled. The importation of Spanish and Portuguese wines had been steadily declining since 1874. He trusted, therefore, that the right hon. Gentleman the Chancellor of the Exchequer would be able to see his way to grant this Committee, because what information they had on the subject was obsolete. There could not be a more satisfactory tribunal than a Committee of the House, which could make an intelligent and searching examination of experts. There was *primâ facie* ground for inquiry in the fact that our system was singular, and was to be found in no other country.

Mr. BAXTER said, his hon. Friend (Mr. Cartwright) had asked him to second the Motion, and he did so with great pleasure. Little need be said on the subject. He (Mr. Baxter) would carefully abstain from offering any remarks as to the changes, if any, which ought to be made in our Customs duties on wines, and he would certainly not trouble the House with any of those difficult questions on which good judges differed greatly. This was a subject which always struck him as one of great complexity and no little difficulty. Not only Government officials, but experts, had expressed the most opposite opinions in regard to the wine duties, and it was not for him to dogmatize on the subject. He did not now advocate any reduction on the wine duties, certainly no particular reductions; but he could not help thinking that the system now in use had been adopted very much at haphazard, when there was no proper inquiry into the subject, and that it had never properly come within the province of Parliament. It appeared to him that, after the voluminous Correspondence which had taken place with foreign Government departmental officials and that portion of the outside public who were interested in the matter, the question raised could not be met without a full and searching inquiry. He knew that objection had been raised to an inquiry by a Committee of this House, and two years ago the right hon. Gentleman the Chancellor of the Exchequer gave expression to the most cogent of these objections; but, having weighed the arguments, he thought that those in favour of an inquiry were most entitled to consideration, and he believed that those who had taken part in this difficult question in this and foreign countries would not be satisfied until it had been examined and reported upon by an impartial tribunal. His hon. Friend had not touched that night on the main argument in favour of a reduction. In his opinion, the principal inducement for a re-consideration of the present system was the hope—which skilful negotiation would convert into certainty—that if we made any reduction in the duties on strong wines the Governments of Spain and Portugal would be induced to make a proportional reduction in the duties on British manufactured goods. Everyone who felt any interest in the subject was convinced that our export trade with the Peninsula and its Dependencies was capable of very great expansion. The reduction of the duties on strong wines would lead, he believed, to commercial Treaties with Spain and Portugal of great value to British manufacturers. He thought that a sufficient case had been made out for a Parliamentary inquiry. Those foreign countries which were inhabited by Spaniards and Portuguese were almost the best customers we had for many of our textile fabrics; but as long as the feeling that they were unjustly treated rankled in the minds of Spanish and Portuguese producers, it would be impossible to conclude a commercial Treaty with those countries, or to induce them to lower materially the import duties on British goods. That was to his mind one of the chief arguments that could be raised in favour of his proposal. His hon. Friend had referred to the departmental Correspondence. He had read it with great care, and with perfect impartiality; for, until he began to study the subject, he had formed no very strong opinion on it either way. His mind had been fortified by the perusal, however, and he was strongly in favour of an inquiry. It was more than 10 years since the Government authorized a proposal to be made to the Government of Portugal for a reduction of duty on strong wine from 2*s*. 6*d*. to 2*s*. All the departments had agreed that if the duty were reduced a considerable reduction might be made in the departmental machinery. On reading the arguments in that Correspondence on the part of the Board of Trade for a change, and on the part of the Inland Revenue and the Customs against a change, he could not resist the conclusion that the Board of Trade took the broader and more statesmanlike view of the question, and entered into the subject with a thoroughness and impartiality much to be commended. And he would go further, and say, that he thought those Papers alone afforded sufficient ground for a Parliamentary inquiry. But, at the same time, he thought the Customs and Inland Revenue were perfectly right in being very cautious, and in setting forth all the dangers, probable or even possible, which might be caused by such a change. This it was their duty to do. But when he came to the question of illicit distillation, and the wide door which it was said by some people would be opened to fraud by the reduction of the duty on strong wines, he was more puzzled than ever. It was impossible to read the Correspondence without seeing that the difference of opinion was most remarkable, and that difference of opinion seemed to depend on circumstances which had never yet been made clear. They were told, on the one hand, by officials of such great experience that they might be right for aught he knew, that if they were to reduce the duty on strong wines, they would be imported largely for the purpose of manufacturing spirits, and that it would be difficult, if not impossible, to protect the Revenue. But spirit brokers and distillers, so far from admitting that, took the opposite view, and argued that it would be far more easy to detect spirits made that way than it was to detect spirits made from grain, molasses, and other substances. This was a question which might very fairly come before such a Committee as his hon. Friend asked for. Then it was alleged on the one hand, and denied on the other, that the effect of such a change would be to reduce the consumption of spirits in this country, and so to injure the Revenue. That was a subject on which such a Committee might take very important, and perhaps conclusive, evidence. The question was one of such importance in its bearings on trade in other parts of the world that it was worth the while of Parliament to thoroughly investigate it as was proposed. Since they discussed the subject two years ago, they had heard something from some of the Colonies that had entered the field. In many of the Colonies the wine trade was increasing, especially in Australia, and that trade, as the right hon. Gentleman the Chancellor of the Exchequer knew, had joined those who asked for a revision. It was simply because he thought the demand could not be much longer resisted that he had risen to say these words. He should be sorry to commit himself to any particular view; but whilst there was so much difference of opinion, he thought it the duty of Parliament to take up the subject; and if the right hon. Gentleman the Chancellor of the Exchequer had no better counter-proposal to make, he should be glad to hear him say he accepted that of his hon. Friend the Member for Oxfordshire.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the present system of levying Customs Duties on Wines,"—(*Mr. William Cartwright*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Notice taken that 40 Members were not present; House counted, and 40 Members being found present—

Sir JOSEPH M'KENNA, who had the following Amendment on the Paper, but which the Forms of the House prevented him from moving—namely,

"That, in the opinion of this House, it is not expedient to inquire into the present system of levying Customs duties on wine, or to vary such duties, save as part of a general scheme for equalizing the duties on all alcoholic liquors, having regard to the quantity of alcohol contained in each respectively,"

said, that the right hon. Gentleman the Member for Montrose, who seconded the Motion of the hon. Member for Oxfordshire commenced his speech by saying that he would not speak in favour of the reduction of wine duties; but he followed up that observation by a speech which seemed to have no other object in view than the reduction of those duties. The hon. Member for Oxfordshire, no doubt, sheltered himself by urging upon the House the moderation of his demand for a Committee; but if the House granted that demand, after the speeches made, the Committee would be launched with something of a foregone conclusion that there was something wrong and anomalous in our application of the wine duties which ought to be got rid of by levelling down. Both the hon. Members who had spoken had referred to the anomalies in the present mode of levying the duties. It was said that when wines of 26 degrees proof spirit were taxed at 1*s.* a-gallon the duty had been raised an additional 1*s.* 6*d.* if the wines were 10 degree higher—that was to say, that a fine of 1*s.* 6*d.* a-gallon was put on the wine. That might be an anomaly, but it was not half so great an anomaly as that they should be able to obtain wine of 26 degrees proof spirit at all at 1*s.* a-gallon duty. The duty on spirits per gallon was 10*s.*; but if a man consumed a gallon of spirits diluted with some real or fictitious vinous fluid he could drink that gallon of spirits on a duty of 4*s.*, for four gallons of wine at 26 degrees proof would contain one gallon of spirits. No doubt if he came within the scope of the increased duties, and happened to fancy a wine above 26 and up to 42 degrees he paid more, but even then he only paid 6*s.* as compared with the 10*s.* of the man who drank brandy-and-water or whiskey-and-water. The consumer of home-made spirit was therefore placed at a great disadvantage. He mentioned these facts as a species of notice of the grounds on which he intended opposing the appointment of a Committee. The whole question of the duties levied on alcoholic liquors was one of the most important that any Chancellor of the Exchequer could have to deal with. The duties levied upon intoxicating liquors amounted in the total to £32,000,000 a-year in the United Kingdom; and taking the quantity of wine imported into this country, and accepting the figures given by the hon. and right hon. Gentlemen the Mover and Seconder of the Motion, it was a great anomaly that the amount of duty on that wine was £1,738,000—and this represented an amount of alcohol three, if not four, times as much as would be required to raise the same amount of duty from the Excise. There was an anomaly, too, in the beer duties; and some day or another, when the country might have to draw upon its resources, it was one they would probably have to have recourse to. The duty levied upon beer, taking into account all the different modes of levying it, was £8,973,000 annually. Now, that represented a consumption equivalent in alcohol to about 100,000,000 gallons of proof spirit. The strength of the liquor, taken as a whole from the quantity of malt, was something more than 90,000,000 gallons. He did not dispute the expediency of encouraging the trade with Spain or France; but then charity began at home, and we ought not to encourage foreign trade at the expense of the home producer and consumer. The tax paid by the Irish on the spirits they consumed amounted to 2*s.* 6*d.* in the pound on the gross incomes under all Schedules of the whole country. It was most unjust to tax Irish and Scotch spirits at the excessive rate he had mentioned; and he must object to the grant of a Committee to inquire into the best method of enabling Englishmen to drink wine at even a lower rate than at present, and that the aggravation of the great anomaly existing in the relative taxation of wine and spirits should be extended. If the Committee was granted, it should embrace an inquiry into the incidence of duties on all the various kinds of alcoholic drinks, including spirits and malt liquors as well as wines. He would have no objection to such a Committee.

Mr. ONSLOW said, this was a subject that was not within the province of a Select Committee to inquire into, but one solely to be dealt with by the Executive, and on the responsibility of the Government. The hon. Member who brought forward this Motion had failed to give any valid reason for the appointment of the Committee. A Committee was appointed when a grievance had to be remedied; or when, in the opinion of this House, a Committee could do some practical good; but he did not believe that the wine growers of Spain and Portugal, or the wine merchants and the consumers of this country, objected to the present rate of duties. No one had cause to complain of the present tariff. If they were to have a Committee, it should be one to inquire into the whole system of levying duties on alcoholic liquors in this country. The hon. Gentleman had also failed to show that the duties on wine were prohibitory, or that there was any necessity for the Committee; but he had not held out through the whole of his speech any inducement to the House to believe that the duties were reduced or assimilated to that of French wines, or that there would be any increase in the consumption of heavy wines in this country. If the Committee were to be appointed, the whole subject of the duty upon alcohol should be submitted to it. They were wines not generally consumed by the masses, but only by a portion of the wealthy classes of this country. If a Committee was wanted only to collect facts, many might be appointed to collect facts of far greater importance than on this subject. The only practical grievance that had been urged was against the standard of 26, which had been fixed after careful examination and scientific inquiry. The system had so far worked well; but the hon. Member who introduced the subject ought to have shown the House that it had not worked well, in order to induce the House to grant this Committee. He said the standard of 26 was a fallacious one, but if it was he had not shown how it was to be altered. There was no public opinion on this subject calling for the appointment of this Committee. It might be that Spain and Portugal would reduce their duties on our goods, but would France do so? At present some of the claret sent from France was dear at the price they had to pay for it, and he had no wish to encourage its consumption in this country.

Mr. M'LAREN said, his hon. Friend the Member for Youghal (Sir Joseph M'Kenna) had referred to the injustice which he thought was done to Ireland by the differential duty on spirits, as compared with the duty on beer, and in that grievance he entirely concurred with his hon. Friend. He wished to state the injustice done to Scotland on the same principle as the hon. Gentleman had stated the injustice done to Ireland. He was not going to enter into any detailed argument, but would content himself by stating simple facts. As there were numerous Parliamentary Returns on every subject, some hon. Members took from one Return and some from another; and that his facts might be verified, he might mention that he took his figures from a Return which was ordered by the House of Commons in August last, and had been distributed within the last two or three weeks. The result stood thus—The sum paid by Scotland for duties on whiskey, foreign spirits, malt made into beer, Excise licences, and the quantity of sugar used in the preparation of alcoholic liquors, and everything in the nature of alcohol, within the year was £4,696,000. Now, Scotland had just one-seventh part of the population of England, according to the Report of the Registrar General at Midsummer last. Therefore, if the duties were equitably arranged, so that each consumer of alcohol was made to pay in the same proportion, whether it was consumed in the shape of beer or in the shape of whiskey, England would have to pay £32,872,000, but it paid only £23,920,000; so that England had been favoured, as compared with Scotland, to the extent of nearly £9,000,000 a-year. There could be no fallacy in the calculation, as anyone could judge for himself by looking at the Return. Now, he considered that was a great injustice done to Scotland, and that, if the proposed Committee were appointed, the subject ought to be investigated why alcohol in beer paid so little, while alcohol in whiskey paid so much. He knew that the high duty on whiskey was defended as being on a poisonous and mischievous thing; but he maintained that the alcohol in beer was just as pernicious. If they took the records of the criminal courts in England, Scotland, and Ireland—putting aside agrarian outrages in the sister Kingdom—they would find that more brutal cases occurred among the beer drinkers than among the whiskey drinkers. At the Leeds Assizes, some time ago, there were nine cases of serious assaults upon women tried—some of them of the most serious nature known to the law—and he was sure they would not get an equal number among the whiskey drinkers of Scotland or Ireland for the last 10 years. He agreed that whiskey should be heavily taxed, because it was the parent of much violence; but he did not see why beer should not be proportionally taxed according to the quantity of alcohol it contained, or why there should be such a disproportion between the taxation of whiskey and beer. To drink a little whiskey, mixed with water and a little sugar added, as it was usually taken in Scotland, was just as harmless as to drink the same quantity of alcohol in water with a little hops, and slightly tinged yellow, under the name of beer.

MR. COBBOLD supported the proposal for the appointment of a Committee, remarking that the question was as important in relation to our country as it was in regard to our commercial interests with other countries. In the first place, there had been a great divergence of opinion among the different departments of the Government in this country which had to deal with the matter. The Board of Trade were certainly not against a Committee being appointed; the only fear they had was that it would be more difficult to detect fraud in the case of wine than in distillations from other materials which would take a much longer time in the process. He believed that had been proved to be a groundless fear. The Treasury had also been appealed to on the subject, and were rather in favour of a duty of 2*s.* per gallon; but they hesitated to deal with the subject for fear of endangering the £13,000,000 or £14,000,000 which the Revenue derived from these duties. The Custom House authorities calculated that the reduction would involve a loss of some £800,000 a-year; but, in making this calculation, they had left entirely out of account the increased consumption which would come from a reduction of the duty. He thought these divergences of opinion among the different departments of our Government justified the hon. Member for Oxfordshire in asking for a Committee. As far as our relations with other countries were concerned, it must be remembered that, at the time of the Treaty of 1866, England did not put forward a claim to come under the most favoured nation clause, and so practically admitted that Portugal had a right to the full and impartial hearing of her views on the question. France, under her Treaty with Portugal, obtained from that country her strong wines, which were used to fortify the weaker wines of France before they were sold to England. France got almost all the benefit of this; Portugal comparatively none. Lord Derby, the other day, speaking in reply to a deputation of the Associated Chambers of Commerce, expressed a hope that Spain would soon see the error of her ways in reference to this question of the wine duties; but a speaker in the Spanish Cortes would probably use a *tu quoque*, and suggest that the time might with advantage speedily arrive at which the noble Lord would himself see the error of his ways. Lord Derby, continuing, said no one would propose the adoption of differential duties with different countries so as to take the form of a reprisal. Those were not the views of another statesman, Prince Bismarck, who a few days ago had said that political friendship was independent of commercial relations, and that if Russia enforced differential duties, the only remedy would be to tax Russian imports. The Correspondence with our Ministers in Spain and Portugal revealed a strong desire that this question should be looked into. In 1865, Mr. Lytton, then Secretary at Lisbon, entertained the idea that these wines were fortified beyond what was needful; but in 1875, when he was Minister, he had reason to change his views, and was anxious, for the sake of our relations with the country, that those who supported its claims should have a fair and just hearing. On these grounds, he could not do otherwise than support the Motion.

MR. JOHN BRIGHT: Sir, the Motion before the House appears to me to be one that has to be considered without much reference to the Amendment of which Notice has been given by the hon. Member below me (Sir Joseph M'Kenna). That hon. Gentleman seems to have formed a very curious idea in regard to the system of taxation upon intoxicating drinks which has prevailed, I suppose, much longer than our own time in this country, and he wishes that alcohol, as such, should be charged the same, in whatever shape it is presented for the consumption of the public. Now, that would entirely derange or overturn our whole system of finance; and he must know himself that to adopt that principle would be absolutely impossible. The hon. Member for Edinburgh (Mr. M'Laren) has given us two or three facts. I have a fact here which has been furnished by, I believe, the largest distiller in the United Kingdom, and he shows that a quarter of barley made into malt and made into beer produces to the Revenue the sum of 23*s*., but that a quarter of barley made into spirit will produce to the Revenue the sum of £9 10*s*. Well, I think it is quite obvious that there must be very strong considerations which have caused that great difference; and, no doubt, in the matter of these taxes, there is something to be said on the question of morals as well as on the question of finance; and if it were thought wise, and likely not to be injurious to the public, to bring whiskey down to the price of beer, and to have, as far as men could bear it, as much whiskey drunk now—at least, in some proportion—as there is of beer, the change might be made which the hon. Member suggested.

SIR JOSEPH M'KENNA: I beg to say I did not suggest anything of the kind.

MR. JOHN BRIGHT: Of course he did not suggest anything of the kind, because it was too absurd. Then, all I say is, that to bring about that state of perfect impartiality as between the man who drinks beer and the man who drinks whiskey, it would be necessary to introduce some such measure as I have been describing. The question before the House is whether we can prevail upon the right hon. Gentleman the Chancellor of the Exchequer to admit a Committee to examine into the question of the wine duties. I am endeavouring to persuade myself, to comfort myself, with the belief that if the Chancellor of the Exchequer does not agree to the Committee, it is because he has himself come very near to the conclusion which he suspects the Committee would be forced to arrive at. The question affects not only this, but other countries, and not only Spain and Portugal, but it affects France very much indeed, and I am not sure it does not affect France even more now than it affects Spain and Portugal. I saw last year a very interesting pamphlet, published by a firm in the City, giving some particulars as to the wine trade in France. One of the statements was that, although the Treaty between this country and France was negotiated in 1860, and although that Treaty has introduced so large a quantity of French wines into this country, still nearly all those wines were from three or four Departments of France. That is a very striking fact, and one that was entirely new to me. Now, I think nearly every one of us in this House believes that the effect of that Treaty has been very advantageous both to France and to England. It has extended the trade very largely between the two countries, and it has smoothed the ill-feeling which at the time, or just before the negotiation of that Treaty, had existed between France and England; but although we find that in France now there is a much larger and more powerful interest in favour of free trade than there was 20 years ago, and owing, to a large extent, to their increased exportations of wines to England, I am not quite certain that if our duties were so regulated that the wines sent here were not the product of only three or four Departments, but the product of nearly all the wine-growing districts of France, we should have in France a very much wider feeling in favour of a free trade with England than we have now, although the Treaty has been in force for 17 or 18 years. Therefore, I think if the duties could be so altered that we could take wines from five times the number of people in France that we do now, we should find they were more in favour of free trade by reason of that change, and also that we should have a much greater number of customers for the manufactures which we export to pay for their wines. If the right hon. Gentleman the Chancellor of the Exchequer could look at these duties broadly—that is, see how they affect France, and then see how they affect Portugal and Spain—I believe he might, without any permanent sacrifice, and with only a small present sacrifice, make a change which five years hence we should be able to look back upon with pleasure, with the strong satisfaction that it had been a great advantage to our foreign trade, and had promoted the consumption of articles which, if not beneficial—I doubt very much whether they are—at any rate would tend more towards temperance, rather than the consumption of articles of an intoxicating character, which, I believe, are much stronger and more hurtful. The hon. Member for Guildford (Mr. Onslow) said he had never heard anybody complaining of the wine duties as a grievance. Well, the hon. Member does not generally give his support to any grievance that is brought forward; but there are other persons who know there is a grievance, and although it does not affect me or any other individual, and although you could not point to a man in the street who is injured by this tax on wine, yet still we know from our own sense and past experience that there are two ways of imposing taxes—one which limits trade, and is generally injurious to the country; and another which imposes the same burden, but is raised in a manner that does not so seriously injure trade, and makes the burden almost unfelt. At this moment we are raising more than £60,000,000 from taxes, and 40 years ago we were raising probably not more than £45,000,000, or hardly so much; yet we are all sensible of this fact—that there is not at present in the United Kingdom one-twentieth part of the complaint of the weight of taxation that there was 30 or 40 years ago, when the total amount levied was so much smaller. No doubt this alteration has taken place entirely in consequence of the change in the mode of taxation. A man will carry double the weight if you put it on his shoulders in a convenient form to what he will if it is in some form that is painful and hurtful. The hon. Member for Guildford said he thought a Committee was not in the slightest degree necessary. I will tell the House why I think it is particularly necessary, unless the right hon. Gentleman the Chancellor of the Exchequer has so far converted himself that he does not think it needful to have any further inquiry. I believe the objection to a change in these duties is one very much of tradition. Some years ago, when I was permitted for a short time to be at the office of the Board of Trade, I took some particular means to inquire into the whole question, and had a long conversation with a gentleman then at the head of the Excise Department, and I came to this conclusion—that nobody had any exact facts on which firmly to base or sustain the opinion that the present system was necessary; and I believe now that the opinion is one that has come down from a generation or two back. There is a common idea that if you allowed wine of a certain strength to come into the country at a certain low duty, that wine would by distillation produce a large quantity of spirit, and that that spirit, which ought to pay 10*s.* in duty, would only pay the duty due on wine, and that thus the Revenue would be defrauded; but the omniscience of the Excise officers in this country would render it impossible for such a fraud to be committed. That is the opinion of the most honourable men connected with the trade, and of a great number of persons whose view cannot be set aside, because they have paid very great attention to it. Now, if the right hon. Gentleman the Chancellor of the Exchequer will allow this Committee to sit, it will take the evidence of persons who hold that opinion strongly, and of those who hold the contrary opinion. I believe they would come to the conclusion with which

I am disposed to agree; but, if they came to a contrary conclusion, there would be strong grounds for maintaining the duties that now exist. I do not suppose the right hon. Gentleman the Chancellor of the Exchequer will be able to make any considerable, or satisfactory, or permanent change in these duties at once; but if he cannot do that, the inquiry of a Committee might help him next Session. This is not a matter in which any of us have the slightest Party interest. It is not a Party question; and when I was sitting on the front bench opposite I spoke entirely in favour of this change; and I am perfectly convinced, from my own experience and investigation, that the change would be a wise one. It has been suggested that it would be a wise thing for the Chancellor of the Exchequer to reduce the duties on French wines below a certain line to 6*d.*, above a certain line to 1*s.*, and the higher kinds to 1*s.* 6*d.*, which would include all the stronger wines. He would have three scales, and three rates of duties; but he would include in his net all the wine-growers of France, on the one hand, and the whole of the wine-growers of Spain and Portugal, on the other. I am certain these are matters worthy of the consideration of the right hon. Gentleman. Our trade is not so prosperous that we can afford to throw away markets that are ready to open to us if we would be liberal and wise to them; and I think, looking at the interests of our foreign trade, the condition of our people, and to the fact that it would, in my opinion, tend to the promotion of morals and temperance, it would be wise to adopt this proposition.

Mr. WHITWELL said, he could not refrain from saying a few words in favour of the Motion, which was made on the simple ground that the duty on wine was enormous, and based upon no principle whatever. The duties were differential against several countries. The duty was in favour of one country because its wines came in at a certain strength, whereas the wines of other countries did not come in at the only strength at which the wines could be produced. It was anomalous that the wines of France, some of which were only worth 2*s.* a gallon, had to pay 1*s.* duty—50 per cent—while wines from the same country worth 20*s.* and even more per gallon, still only paid 5 per cent on the 1*s.* duty. He did not mean to refer to the differences now existing be tween this and other nations; but he would take Italy, who could not send us her wines because of the 2*s.* 6d. duty, which became an imposition almost to their exclusion. The small quantities of low-priced wine which came from Lisbon were nothing compared with the produce of Portugal. And, coming to our own wines, he would ask the right hon. Gentleman the Chancellor of the Exchequer to turn his attention to the Colonies, with which we were anxious to exchange our productions more extensively, but whose wines suffered in the same way as the wines to which he had alluded. They could not, from their natural strength, come in under the 1*s.*, and the 2*s.* 6*d.* duty was almost a prohibitory one. He therefore felt that it behoved us to consider whether our duties were founded upon any rational principle whatever. In conclusion, he expressed his decided opinion that a Committee of the kind proposed should be appointed.

Mr. YEAMAN wished to say a few words, because he represented a large community, including merchants and manufacturers, who had had this question under their consideration for a great many years past. They had always urged that heavy duties on wines pressed against the opening of markets to our textile manufactures. If these duties were equalized, the increased demand for our manufactures would be enormous, particularly in our textile manufactures, and especially in Portugal and Spain. If these tariffs could be made equal, the one against the other, there could be no doubt it would be highly beneficial to this country, as well as to Spain and Portugal, and France, and he was quite sure that in a few years it would be a vast gain to our trade and commerce. He did not think it was necessary to go into the matter of alcohol drinks, and the proportions consumed, in England, Scotland, and Ireland, and he only hoped the Government would allow this Committee to be appointed.

Mr. RAMSAY said, he did not rise for the purpose of opposing the Motion before the House, but hon. Gentlemen seemed to think that the wine duties were regulated by no principle whatever. That was not so, for they were charged according to an alcoholic test. Wines of a certain strength were charged at the low duty, while those charged at the higher rate contained a larger percentage of alcohol. The right hon. Gentleman the Member for Birmingham (Mr. John Bright) seemed to contemplate the continuance of the alcoholic test as the principle by which duty should be determined on wines, and, if so, the same test might with, equal propriety and facility, be adopted in the case of beer. He thought that if the officers of Inland Revenue could be examined it would be found that the amount of alcohol in the beer exported was accurately ascertained, and if so, the quantity contained in the beer used for home consumption could readily be determined by the same process. The right hon. Member for Birmingham, in criticizing the speech of the hon. Member for Youghal (Sir Joseph M'Kenna), and speaking of the hon. Genetlman's Amendment as absurd and impracticable, spoke without that accurate information which he usually displayed on every subject on which he addressed the House. The effect of the hon. Gentleman's Amendment would be that a quarter of malt, instead of paying into the Imperial Revenue 23*s*., would be charged £6, because he believed the beer produced by every quarter of malt contained 12 gallons of proof spirits. He thought the whole question, as to the incidence of these duties, might very well be left to this Committee; and he hoped the right hon. Gentleman the Chancellor of the Exchequer could see his way to granting it.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I hope that hon. Gentlemen, when they come to a division, if one takes place, will bear in mind what the particular question is upon which they are asked to give their votes. We have heard a great deal in the discussion which has been going on that has been very interesting, and a great deal that has been said is very true with regard to the wine duties; but I must confess that I have failed to catch, in the arguments either of the hon. Member for Oxfordshire (Mr. Cartwright), or in most of those who have taken his side in the discussion, the connection between the views which they take upon the general question of the wine duties and the particular proposal that a Select Committee should be appointed to inquire into the subject. Many things that the hon. Member for Oxfordshire has said, many things that the right hon. Member for Birmingham (Mr. John Bright) and the hon. Member who addressed us with so much knowledge of the particular branch of the question—the hon. Member for Ipswich (Mr. Cobbold)—have said are perfectly true, and I am prepared to accept much that they have advanced; but I confess I do not see how we are, by appointing this Committee, to do any good towards the realization of the object that they have in view. And I am inclined to think the disadvantages which, as I shall presently venture to say, might attend the appointment of the Committee would outweigh any advantages that have been hinted at. But, in the first place, I must say, with regard to the references that have been made by the hon. Member for Oxfordshire himself, and I think by the right hon. Member for Birmingham and others, to the views which I myself have held in former times when I was in a responsible position as President of the Board of Trade, that I still maintain those views; and I do not by any means undertake to defend everything that has been said with regard to the importance or impropriety of extending or altering the present system of the wine duties. On the contrary, I hold now, as I held in the year 1866, that it would be reasonable and a safe proposal to re-consider the particular incidence of the scales which now exist. I think that the objections that were then taken by the heads of the Revenue Departments to the particular alterations that were proposed were objections which I will not say had nothing in them, but were objections that were by no means conclusive against the proposals. I held then, and I hold now—that it would be perfectly safe, that it would probably be convenient, to make some modifications in the present scale, with the view of removing some of these obvious inequalities, and especially, I think, to remove the inconvenience which results from the very sudden jump which takes place on the particular standard of 26 degrees. And I am perfectly confident that, if time and opportunity suited, such a proposition might be fairly recommended to Parliament, and I have great hopes that it would be adopted. But I do not think there is any necessity for a Committee to inquire into the soundness or un-soundness of the objections that were taken by the officers of Inland Revenue and Customs in the year 1866 against the modification of the scale. I do not see what good the Committee would do. I do not see what information they would be able to collect which is not either now already collected or might easily be collected by the Government, which, after all, must be responsible for any proposal that is to be made. I think a Committee might be appointed for one or two purposes. A Committee might be appointed to collect information, or it might be appointed in order to assist in forming and developing a policy. Well, with regard to obtaining information, I think no ground has really been laid down in the speeches we have heard for any inquiry of this description in order to obtain such information. We have an enormous mass of information. We have not only the information that was contained in those Reports, but Commissions have sat and tests have been applied to various kinds of wine, and we have a very great deal of information respecting various classes of wine; so that in reality all the materials of the question are fairly before the Government. I am not saying that they are so fully placed before Parliament as might be the result of the labours of a Committee, which would inquire and sit for a long time, hearing the views of all sorts of persons who know a good deal about it. But if it is merely a matter of curiosity and interest, possibly Parliament might fairly say—" We should like to inquire into this question and get the opinions of people who know a great deal about it." I am, however, quite satisfied that that would not add in any degree to the knowledge which the Government possess, and that it would not add to the facilities of dealing with a question which is a very difficult one. You will say—" If you admit that, after all, a Committee might be interesting, and if your only objection to it is that its labours would be superfluous, because the Government already have the information, why do you object to our having this interesting information, which, at the worst, is but superfluous ? " Well, I cannot admit that it would be only superfluous. I believe that such an inquiry as we should have to conduct if we went into this Committee, would be to no inconsiderable extent embarrassing, and probably might be mischievous. I will explain this in a few moments. In the first place, with regard to the scale and incidence of the present wine duties, I wish to remind the House of the principle upon which the present scale is established. What I understand to be the principle of the present scale of the wine duties is this—that it is intended to charge all natural wines—that is to say, the wines produced by the process of fermentation only, without the introduction of distilled spirit, at the rate of 1*s.* per gallon. If wine is strengthened by the introduction of distilled spirit, which it may be to an enormously indefinite extent, then the reasons which induced Parliament some 16 years ago to lower the scale do not apply to wine of that highly fortified character. The effect of large quantities of spirit being introduced into this country under the name of wine, at a very low duty, would, having reference to the general scale of our spirit duties, be very serious, and even dangerous, to the Revenue. Well, we are informed that the point which has been taken—26 degrees—is not a proper point. It was a point selected at the time, because it was believed, from the information before the Government of the day, that 26 degrees was the limit to naturally fermented wines, and as a rule it would be found that no wines which were not fortified to a considerable extent by distilled spirits would come above 26 degrees. There has been a good deal of question as to whether the point was properly fixed; a good many inquiries have been made; analysis has been made, and information collected in foreign countries and the Colonies, which throws a small light upon the question whether this is a proper point to take. For obvious reasons I will not express my own opinion upon the point at this moment, but generally say that I think there is a great deal to be said by those who consider that 26 degrees does not entirely cover all the natural wines. A great deal of the wine that is sent, especially from Spain and Portugal, is in reality wine that has been fortified with more or less spirit; but there is some controversy as to how much is spirit and how much is not. I quite admit that that is a point upon which consideration ought to be bestowed when we come to deal with the question of the wine duties. If we are to begin to alter the point at which the duty is to be charged, we should undoubtedly cause a certain amount of disturbance to the wine trade—and I think that is very undesirable for trade considerations alone, to say nothing of Revenue considerations. It would be far better, too, that any change that might be made should be made upon the responsibility of the Government, and after but a short notice, as the appointment of a Committee, taking evidence over an extended space of time, would in all probability affect the importation of wine, and materially affect the receipts of the Exchequer. That is a reason for not undertaking lightly, or without a fair prospect of the full equivalent advantage, any inquiry which I must say I think would be of a rather loose character. I think that the speeches of several hon. Members have gone to this point; that they thought a good deal is to be said about the wine duties; that the matter is a very difficult one, and if a Committee were appointed it would get valuable information, and strike out some important light on the subject. But I think that we ought not to appoint a Committee of this House without some more definite object than any held out in the speeches we have heard in its favour. The Committee must necessarily contain many Gentlemen who have no practical experience of the subject, and they would be naturally assailed by persons out-of-doors who have special views and ideas upon it, and so influenced it could hardly be expected that the inquiry would be close, or that it would rigidly exclude what might be considered as extraneous or useless matter. There is another aspect of this question on which I wish to dwell, and which gives a still stronger reason why we should be cautious about the appointment of the Committee. The hon. Member for Ipswich (Mr. Cobbold) has called our attention to the relations between this country and Spain and Portugal, and the right hon. Member for Birmingham (Mr. John Bright)—who it is to be regretted is not now in his place—has called our attention to our relations with France. Reference has also been made to Italy, Austria, and our great Australian and African Colonies. There can be no doubt that these are countries which have a very great interest in the question of the British wine duties. In this country people do not consume anything like the amount of wine per head that is consumed in many foreign countries. There are those who think that if the system of wine duties were altered a larger quantity of wine would be imported into and consumed in this country, and that that would have the effect of bringing about a larger trade with the countries that are wine producers. Certainly, those countries think so. There is no doubt that perhaps Spain and Portugal, and also France, might be very beneficially affected by such a change in the wine duties as would suit those countries. It might be possible in our arrangements with them to use the wine duty as an equivalent in negotiation, and so bring about more satisfactory relations than exist between us and those countries. But then we come to a very great difficulty, which I think has not been sufficiently considered in the arguments addressed to the House. Hon. Members speak as if a measure which will suit one country will suit the other countries also; and that it is a mere matter of the Chancellor of the Exchequer suffering a certain loss of Revenue, which he will make up by the increase of trade produced by the alteration of duty in favour of these foreign countries. But that is not the case, and so far from it being the case that the same measure will satisfy all these countries, it is extremely probable that what will satisfy one will discontent others and cause disputes. For instance, we are asked to alter the point at which the higher duty commences in order to admit the wines of Spain and Portugal; for it is said that as it stood it is a differential duty in favour of French wines and gives then an unfair advantage. The reply to that is that we do not make any distinction in favour of the wines of our country and another, and if Spain and Portugal send in wines under 26 degrees they will have the advantage of the 1*s.* duty that France has. There is no question of a differential arrangement whatever in favour of one or the other, and that argument is one which Members have no right to use. If we alter our duty in favour of Spain and Portugal, France will say we are no gainers by this, and you are doing us rather a bad turn. At all events, France would gain nothing, and what France asks is that we should do something for them that we have not done yet. The right hon. Member for Birmingham (Mr. John Bright) said, very truly, that it is a remarkable fact that French wines do not come from all parts of that country, but from only four or five wine-growing districts; while there are 40 or 50 Departments producing wine which would be of value to England if it could come in. But why cannot that wine come in? Because it is of so low a value that it cannot pay the 1*s*. duty, and France may say, reduce your 1*s*. duty to 6*d*. or 4*d*. on wines of that low class. But it appears that it is not all wine of a very low strength. Some of it is wine of no inconsiderable strength, and yet is of coarse quality, and which will sell only at a very low price. But if we admitted wines of a low class and of a weak description, Spain and Portugal would say—"You are doing nothing for us. We have a great deal of wine of a very low and cheap description which is strong, and which you ought to admit also. If you admit cheap French wines, you ought also to admit the wines of Spain and Portugal." If we entered into any arrangement, I do not see how we could answer that argument; but if we accepted this view, we should have to change our system of alcoholic tests, and introduce duties *ad valorem*. If we were to attempt to ascertain the value of wines, we should be plunged into difficulties of no ordinary kind, and to ascertain the value of the wines introduced would be a task of no easy solution. Then, if we entered into questions of this sort, and discussed them under the eyes of all the nations of Europe, I doubt very much whether we should make our arrangements easier than at present. As it is now, the question is a very complicated one. I think I have said enough to show that it is an extremely complicated one, and cannot be solved by a certain surrender of duty by the Chancellor of the Exchequer. It is one that must be adjusted very nicely. But, says the hon. Member for Tamworth (Mr. Hanbury), let us have this discussion and go into it for our own sakes without reference to other countries; but if we do it for our own sakes, foreign nations, when we ask them for concessions, will say—"You have nothing to give in exchange; you have already given everything for your own sakes; we decline to alter our system out of love for you or of regard for arguments which may have convinced you but do not convince us." It is part of the case of hon. Gentlemen opposite that we have an equivalent in the wine duties which enables us to deal with other nations. I admit that, and it is because I think that we ought to keep that advantage that I object to plunge the subject into the vortex of a public inquiry, and desire rather to keep the matter in the hands of the Government and of negotiators, and it is for that reason that I object to this Committee. I can assure the House that there is no reason for supposing that this is a question that does not interest the Government. There is no reason for supposing that we are not alive to the great importance of the question, or not disposed to deal with it if we found ourselves able to do so. But, at the present moment, the time is not very favourable for commercial experiments, and it is not very favourable for that sacrifice of Revenue which undoubtedly a change of a satisfactory character would require, and which it would be some time before they could make up again. Even now I do not think we are receiving as much duty on wines as we did before the great changes in 1860 in the duties. Whatever we might do, the change, if made, would involve a sensible loss of Revenue, which I cannot venture to undertake; and, therefore, for all these reasons, I hope that the House and the hon. Member for Oxfordshire (Mr. Cartwright) will see that, in resisting this Motion, I am not taking up a position antagonistic to the principles which are entertained by those who desire that the wine duties should be carefully reviewed with a view to commercial negotiations. On the contrary, acting entirely in the spirit of those who desire that they should be carefully considered, it is my deliberate opinion that the course proposed is not the best course to take, and I trust that the House will support me in declining to take it.

Question put.

The House *divided*:—Ayes 85; Noes 65: Majority 20.—(Div. List, No. 37.)

Main Question proposed, "That Mr. Speaker do not leave the Chair."

Original Motion, by leave, *withdrawn*.

Committee *deferred* till *Monday* next.

ORDERS OF THE DAY.

FACTORIES AND WORKSHOPS BILL.

(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.*)

[BILL 3.] COMMITTEE.

[*Progress* (*New Clause*) 28*th February.*]

Bill *considered* in Committee.

(In the Committee.)

New Clause—

(Exceptions for certain descriptions of flax scutch mills from certain provisions of Act.)

"The regulations of this Act with respect to the employment of children, young persons, and women, and the provisions of this Act which are declared not to apply to a workshop which is conducted on the system of not employing children or young persons therein, shall not apply to flax scutch mills which are conducted on the system of not employing children therein, and which are worked intermittently and for periods only which do not exceed in the whole six months in any year."—(*Mr. Mulholland.*)

Question again proposed, "That the Clause be read a second time."

MR. ASSHETON CROSS did not think that the hon. Member who had brought forward this clause, with the view of having it read a second time, would succeed in inducing the Committee to allow flax scutch mills to escape from the operation of the provisions of the Bill. It would, however, be necessary, as a matter of form, to allow the clause to be read a second time, in order that any Amendments it might be deemed necessary to make in its terms should be brought forward and discussed; but if the Committee preferred an alternative course, it would be competent for it to reject the clause as it stood.

DR. WARD asked whether the change suggested by the clause did not apply to women in the same way as to children? [Mr. ASSHETON CROSS: No.] It was unfortunate, because in this description of work large numbers of women were employed, and he certainly thought that it was not an occupation the nature of which, as applied to women, ought to escape the operation of the general provisions of the Bill. If that part of the clause to which he objected were not withdrawn, he should oppose the clause.

MR. ASSHETON CROSS: If the hon. Member who has just spoken will allow the clause to be read a second time, he can move to alter the portion to which he objects. He is quite in Order in taking this objection.

MR. O'SHAUGHNESSY said, the provisions of the Bill applied to three classes of persons—children, young persons, and women, and the clause as it stood proposed only to retain children under the protection of the Bill in the cases indicated. On the other hand, it was objected that children, women, and young persons should be removed from the protection intended to be given by the Bill. ["No!"] Well, it was objected that women and young persons should be removed from that protection. Now was the time to discuss the question whether the clause should be read a second time, in order that any alteration might be made in it. He understood that the hon. Member for Downpatrick (Mr. Mulholland) consented to strike out the exemption of young persons, and if the clause were read a second time, it would be upon this understanding.

MR. HIBBERT said, as he understood, also, that the hon. Member for Downpatrick assented to the withdrawal of the proposal to exempt young persons, the effect of the clause, so altered, would be only to exempt women from the operation of the Bill in the cases specified.

MR. PARNELL did not see the necessity of reading the clause a second time if they were successful in their efforts to exempt women from the operation of the Bill. The work done in scutching mills was of a most dangerous and unhealthy character, the process filling the air with a number of minute particles, which got into the lungs of those who were employed in the mills, and was attended with injurious effects. The nature of the work caused women to become consumptive. He hoped the Home Secretary would consent to include women employed in these mills in the regulations made by the measure before the Committee; because, if it were necessary to protect them in other employments, so was it in this instance. The Home Secretary had introduced many provisions for the protection of women into the Bill, yet he now proposed to omit them from its operation in relation to an occupation which was often carried on 15 or 16 hours a day. It was said to be necessary to carry it on for so many hours because the trade was only in operation during a short time in the year. During the season all the farmers were impatient to have their flax got ready for the market, and the utmost inducements were held out to the flax millowners to get through the work as speedily as possible. Where the employment was unhealthy and the hours long, surely there was reason for protecting the persons employed in it, if protection were necessary in any case. He might be told that the course he proposed would injure the factory owners; but if it could be shown that women were suffering in health by the employment, they ought to be protected. If it were necessary to carry on the work 15 or 16 hours every day, no reason existed why it should not be done in eight-hour shifts, in the same manner as work was performed in mines.

Mr. ASSHETON CROSS said, that, when the case of these scutch mills had been first brought before him, he had read the evidence taken before the Royal Commission on the subject. The mills were under the provisions of the existing laws relating to textile factories where more than 50 hands were employed; but in a large number of instances the mills employed less than that number, and they did not come under the Act, and to put them under this Bill would be imposing great restrictions upon them. He quite agreed that, as far as danger to those employed in the trade from machinery was concerned, nothing ought to take them out of the provisions of the law, and the same protection as regarded fencing machinery would apply to these scutch mills as to other mills. The only part of the Act which would not apply was the regulation as to hours worked by women. Therefore the Committee would be putting the scutch mills on very much the same footing as women were in places where there were no protected persons. He quite agreed that there was a great deal of dust in these scutch mills, and that, as far as children and young persons were concerned, they ought to be protected; but anyone who had read the evidence laid before the Royal Commission would see that there was a great distinction between the work in these and other mills, and that in many of them the work was more like an agricultural operation than what was performed in many factories. The labourers could only work a certain number of months, and during the rest of the year they took up agricultural employment quite free from dust; so that they were entitled to be placed in the category of persons not working during the whole of a year in a factory.

Mr. MACDONALD regretted to be compelled to differ from the Home Secretary, who failed to see that, in carrying out the views he had just expressed, he would be allowing women to work without protection at one of the most dangerous occupations carried on in the country. Scutch mills were said to exist principally in Ireland; but the Home Secretary must be aware that many of them were carried on in Yorkshire. In this case, it was proposed to exempt young women from the provisions of the Act—

Mr. ASSHETON CROSS: No, no; only from one of its provisions.

Mr. MACDONALD said, the exemption from that one provision allowed women to follow what he held to be a dangerous occupation, without protection. It was said that persons employed in the scutch mills only worked during a portion of the year; but he ventured to say that if they went on for a whole year, they would require at the end of it to take six months' rest to enable them to recover from the condition into which such an occupation, carried on for such a time, would bring them. The dust, fibre, and pieces of material flew about in these mills to such an extent that when, as a boy, he had pulled flax, he had seen persons standing with their mouths closed, and others at the door trying to get relief on account of the state of the atmosphere. If persons engaged in these mills were to be employed all the year round they would be destroyed in two years, and as it was they suffered from irritation in the bronchial tubes, and lung disease frequently set in. To exempt young women as proposed would make a most dangerous exception, and would lay down a ground-work for a possible agitation against one of the most excellent provisions of the measure. No doubt the right hon. Gentleman would have the favour of the hon. Member for Hackney and a few others now that he had not had before. He would put it to him if the friendship of those were worth having as compared to those who had stood by him in all his efforts of this kind. He hoped, therefore, that the Home Secretary would not be cajoled by a few Gentlemen from the North of Ireland to take a step that would be fatal to the principle of a Bill which otherwise would redound so much to the right hon. Gentleman's credit.

Mr. MULHOLLAND said, the people of the North of Ireland naturally felt interested in this matter because the manufacture referred to was almost entirely confined to that part of the country. From the remarks of some hon. Members, it would almost appear as if the manufacture of flax were so unhealthy and dusty that the plant ought not to be grown; but he believed that the health of the population of the North of Ireland where scutching was carried on would compare favourably with that of any people elsewhere. These scutch mills offered employment to the agricultural population during the winter months when there was no out-door employment, and many of them were going during only a short period of the year. They were scattered over the country, and 670 out of 800 of them employed less than six scutching hands. Children and young persons would still come under the provisions of the clause.

Mr. E. COLLINS ventured to dissent from the view put forward by many hon. Members on that side of the House. Scutching was not altogether a manufacturing, but partook much of an agricultural character, inasmuch as the process of preparing the flax was somewhat similar to the process of dealing with other descriptions of agricultural produce. If restrictions were put upon the manufacture it must necessarily increase the cost of preparing the article, and interfere seriously with the great trade of the North of Ireland. Nearly all the manufacturing industries of the country were dying out by degrees. The manufacture of cotton, which was at one period of considerable importance, had nearly ceased to exist. Shipbuilding was not long since a source of employment to many, and now the trade had all but disappeared — linen was one of the few left to the people, and he thought hon. Members should lend their hands to support, instead of seeking to interfere with, it. He was enabled by statistics to compare the present state of the manufacture under discussion with its condition a few years since, and he found that in 1871 the number of scutching mills in the four Provinces of Ireland was 1,499; whereas five years later—the latest period to which he had been able to bring down his figures—the number was reduced to 1,250; therefore, there had been a decrease of 20 per cent in the number of these factories in Ireland during five years. If the same ratio of retrogression should continue for five years longer the number of these mills would be diminished to one-half, and it would require 15 years only to sweep them away altogether, and so extinguish this great industry. He hoped the process of reduction would not go on as it had done, and that many of his hon. Friends would not insist upon the views they had taken on this subject; but would be satisfied with the protection of children and young persons—which was a necessary measure—and leave women, who were pretty well able to control their own labour, to take their own course with regard to employment in scutching mills.

Sir JOSEPH M'KENNA thought the observations of the last speaker would apply to other clauses than that under discussion, and that if the Committee acceded to the principles laid down by the hon. Gentleman, they might have spared themselves the trouble of considering the Bill at all. He hoped that the right hon. Gentleman in charge of the Bill would not consent to the clause being read a second time, and that his hon. Friends would not allow such a proposition to pass without a protest. It was urged that scutching was only carried on during six months of the year; but two or three months spent in close application to an injurious occupation would ruin anybody's health. The "walking postman" did not walk many days in the course of the year—certainly not for half the year—yet medical gentlemen would probably say that he imperilled his health by excessive labour during the time he did walk. The fact that a woman had no employment during six months of the year was no argument why she should over-do it during the time she was at work. He hoped that persons employed in factories of all kinds would have the general protection afforded to them by a Bill which was a contribution to the cause of humanity and good government.

LORD FREDERICK CAVENDISH said, that when he visited some Irish scutching mills he could well have fancied himself in an English farmyard when threshing was going on. He did not think all the provisions of the Factory Acts ought to be applied to these mills; but the Royal Commission was in favour of carrying out the provisions in regard to fencing in machinery, and, as he understood the Amendment, all those regulations would be enforced.

DR. WARD said, the right hon. Gentleman had proposed that he should not press his opposition to the clause, but give it a second reading, and at first he had been inclined to do so; but he now saw that if the clause were passed on the lines indicated by the right hon. Gentleman, it would leave a loophole which would enable women to be employed in an unhealthy occupation. He opposed the second reading of the clause, on the ground that if the Factory Act should protect women at all, it should certainly include one of the most unhealthy of all occupations. The right hon. Gentleman had referred to the evidence given before the Royal Commission to show the nature of the employment carried on in scutching mills; but it would be found that some of the witnesses regarded the work carried on in them as of a most unhealthy character. One of the medical witnesses was asked whether, apart from the question of accidents, there was any necessity for interference by legislation with the mills, and he replied that legislative interference was necessary, because the diseases which the operatives suffered from were the same as those of hecklers and others in spinning mills. The same witness stated that there was no limit to the hours of work at certain seasons of the year. The evidence amounted to this—that the work was most unhealthy, and that the women engaged at it worked 15 and 16 hours a-day. The usual mortality in a fairly healthy town like London, was something like 20 per 1,000 from all kinds of disease; but in those special processes the mortality from lung disease alone amounted, in some cases, to over 30 per 1,000. Then it was said that not many women were employed at this occupation, but in many cases they outnumbered the men.

MR. MUNDELLA was generally reluctant to oppose any Amendment regarding factory legislation which was proposed by the hon. Member for Downpatrick (Mr. Mulholland), because no man had done more for manufactures in Ireland than he had, and everything which he suggested deserved the greatest consideration. Ireland had, unfortunately, too few manufacturing industries; and if there was anything in this Bill which would tend to restrict those manufactures, he, for one, should set his face against it. But he was bound to ask what were the reasons why this particular exemption should be granted? The hon. Gentleman said it was an intermittent employment, only extending over six months of the year; but he found from the Bill that for two consecutive months they might work every woman and child 14 hours a-day. What did they want more than this? There was no textile manufacture in the Kingdom which had any such privilege. If a case had been made out for this exemption, and it could have been shown that without it an injustice would be done to flax growing in Ireland, then he should not have opposed his new clause; but, under the circumstances, he thought the demand was unreasonable.

MR. FAWCETT said, having contended for the principle that it was unjust and inexpedient to interfere with the labour of adult women, he was anxious to express the great satisfaction he felt that at last the same conviction had come to the mind of the Home Secretary, and that he was now going to concede a principle he had hitherto constantly and persistently resisted. He should give the second reading of this clause his cordial support, on the distinct ground that it was unjust to interfere with the labour of women; but, at the same time, he was bound to say that accepting this clause seemed to knock the very bottom out of the Bill, because from the trades enumerated in the Schedules of the Bill, from official documents, and from the evidence of the Royal Commission on these Acts, he could conclusively prove that women ought to be excluded from the operation of the Bill altogether, and not merely in the case of this particular industry. He, therefore, told the Home Secretary that full advantage would be taken of the principle he had now conceded, and on the Report efforts would be made to extend it. As women were about to be exempted from the Bill as far as scutching mills were concerned, it would not be difficult to prove that there were plenty of other industries from which they ought equally to be exempted. It was not for him to inquire by what means the right hon. Gentleman had changed his mind. There were some who might say it was due to political influence. He would not indulge in such an insinuation, because he would have no justification for saying so; but he looked upon what the Home Secretary had done as a striking proof that it was always well in this House, for a minority however small to persistently and constantly contend for the principle they desired to see adopted. Here was a case where at the beginning of the Bill those who contended that adult labour should not be interfered with were again and again beaten by majorities of 3 to 1, and the Home Secretary had repeatedly said he could not for one one moment listen to their arguments. Now, when the Bill was just on the eve of being passed through Committee, they had the great satisfaction of seeing the Home Secretary surrender, and accept that principle which he had at first resolutely opposed. Happily they would have another chance of raising this question of adult labour, and when that opportunity occurred on the Report, the concession the right hon. Gentleman had made to-night would not be lost sight of, and certainly by one Member it would not be forgotten.

MR. ASSHETON CROSS: I am sorry to deny the hon. Member any satisfaction he may feel; but I may tell him that I stick to my principle as much as ever, and say there is a great distinction between women who are only casually employed, and those who are regularly employed. Whenever the hon. Member chooses to raise the principle, I shall be ready to meet him.

MR. BIGGAR contended, that the work carried on in the scutch mills was exceedingly unwholesome. Large quantities of dust were about everywhere, even on the hedges in the neighbourhood, and altogether the mills presented a very different aspect from an English farm yard, to which they had been likened by the noble Lord (Lord Frederick Cavendish). Some of the dust which was about must get down the throats of the workpeople, and this could not be looked upon as a very healthy thing. If the right hon. Gentleman agreed to this clause, he did not see how he could contend that the Act should apply to women at all. If women were to have the privilege of working unlimited time in the scutch mills, they had no right to interfere with their continued employment in other industries.

MR. NEWDEGATE was sensible of the injury which was inflicted upon many of the industries of the country by the limitation of the hours of labour, and he rejoiced that the Home Secretary had been induced in this particular case, to accept the necessity for exemption. He was quite sure they were restraining the productive power of the country by their factory legislation; and although he was as sternly determined as in 1844 to protect the interests of the young, he still thought the Legislature might push the restrictions on labour too far.

MR. PARNELL had listened in vain for any consistent reason from the Home Secretary for the adoption of this Clause. It was not to be put in the Bill in the interests of the women employed in these mills, but in the interests of the mill owners. He should like to ask the Home Secretary, whether he had taken means to secure the fencing in of the machinery of the mills? It was said this occupation in the scutch mills was only an occasional one; but it was carried on for six months in the year, and conducted by long spells during that time. He considered the noble Lord (Lord Frederick Cavendish) had furnished the strongest argument in favour of the rejection of this clause. He had told them that the work of the scutch mills, as far as his personal experience extended, was so nearly kindred to agricultural employment, that he thought he was in an English farm yard, watching a steam threshing machine at work. Now, he should like to ask the noble Lord, whether he would approve of women being employed in feeding a threshing machine for 16 hours a-day during six months of the year? There had been a great deal of talk in this discussion about Irish industries. Formerly this House crushed Irish industries; and he believed it would do so again, if it was found necessary in the interests of English industries. The hon. Member for Downpatrick (Mr. Mulholland) had said, if they did not agree to this clause, they would crush an Irish home industry. He denied that they would do anything of the kind. If this clause was rejected, the only people who would be inconvenienced would be a certain number of the constituents of the hon. Member, who would not, in future, be able to make quite as much profit as they now did. They all knew that the North of Ireland Members in that House, were not often able to demonstrate their usefulness to their constituents; and having this remarkable chance, they had been asked to do a little job; and if they succeeded they would return home amidst the plaudits of a small section of their countrymen, who would hail them as having saved their country from having one of its home industries crushed.

Mr. MULHOLLAND, said, he had listened patiently and carefully to the objections made to the clause by hon. Gentlemen opposite, and he could say that they were altogether unprecedented by the evidence they had quoted. The real evidence was to the effect that there was now no legal limit of this kind that Scotch mills might work; but there was not a line of evidence that they did, in fact, work unreasonably long hours. There was no intention of extending the hours of labour of women employed in these mills, and if the clause were not adopted, the owners of them, rather than expose themselves to any risk of infringing the law, would close their mills altogether. What they objected to was vexatious interference and troublesome returns.

Sir JOSEPH M'KENNA thought that, after what had first fallen from the hon. Member for Downpatrick, there could be no difficulty in restricting the labour of women in these mills to 12 hours. At least they might be informed, whether there was any maximum number of hours' labour that would be accepted by the Government. He had supported the restriction of hours of labour in the Turkey red dye works, and he would now say, let them not have one principle in force in Dumbartonshire, and another in the North of Ireland.

Mr. BIGGAR observed that it would be sufficient, in reference to the remarks of his hon. Friend the Member for Galway (Dr. Ward) to read the marginal note of his clause in the Bill, to which the proposed new clause related. It was as follows:—

> "Factories and workshops in which young persons and women may be allowed to work for 14 hours a-day, under certain restrictions, by reason of the material being liable to be spoiled by weather, or of press of work arising at recurring seasons, or of liability to sudden press of orders from unforeseen events."

It was clear from that, that in seeking exemption from the provisions of the Bill in this respect, the promoters of this new clause desired that their hands should be allowed to work for more than 14 hours a-day.

Question put.

The Committee *divided*:—Ayes 143; Noes 27: Majority 116.—(Div. List, No. 38.)

Amendments made to the Clause.

Mr. PARNELL moved to amend the clause by adding to it, at the end, a Proviso that the period of employment on any one day should not exceed 12 hours. The hon. Member for Downpatrick (Mr. Mulholland) said that the hours of work in those mills were not excessive; but he would admit that 12 hours were a good day's work, particularly in tending a machine such as had been described by the noble Lord the Member for Yorkshire (Lord Frederick Cavendish) as being similar to a straw-threshing machine. The hon. Member said there was no evidence showing that the hours of labour in those mills were excessive. On the contrary, he thought there was, and he would refer him to the printed evidence. He would find that one witness, who was examined with regard to the conditions under which the work was carried on in the smaller scutching mills, was asked whether the hands worked by artificial light, replied—"Yes, they do." Then he was asked whether they worked as long as they might, and he replied—"Yes, they work periodically as long as they can." Yet they were told such a system was necessary for the purposes of that manufacture.

Amendment proposed,

At the end of the Clause, to add the words "Provided always, That the period of employment in any one day in such mill shall not exceed 12 hours."—(*Mr. Parnell.*)

MR. ASSHETON CROSS said, he thought it would not be wise to attempt the limitation which the hon. Member's Proviso intended. These small scutching mills were scattered all over the country, and it would require an army of Inspectors to watch them. It would be practically impossible to enforce it. If the Proviso were adopted, he was satisfied it would be inoperative, and therefore it would be of no use to insert it.

MR. ERNEST NOEL observed that, seeing that the hours allowed for work were not intended to be excessive, there could be no objection to this Proviso being inserted in the clause, in order to ensure that the working period should not exceed 12 hours.

MR. MACDONALD thought that the very argument used by the Home Secretary—namely, that it would require an army of Inspectors to watch these places—showed that he had no substantial reason for objecting to the proposal. Could these small mills require more watching than tailors' shops and other establishments? In those little scutching mills the employment of these persons beyond fixed hours could be easily observed and detected. They heard a good deal said about injuring the industries of Ireland. He did not wish to injure them. He wished, rather, to protect them; but not at the expense of the persons employed in them. He was extremely sorry the right hon. Gentleman had adopted the very line of argument which was used on the Benches opposite, and on this side of the House as well, for excluding women altogether from workshops.

SIR JOSEPH M'KENNA said, he should like to know what protection there would be for the few factories employing women and children if there were to be no inspection? Those cases, however, were not the only ones in which it was important. It was an extremely unhealthy employment, and, as the hon. Member for Galway (Dr. Ward) had stated, there was more lung disease among persons employed in it than the average among the population of healthy towns. Under those circumstances, he asked whether scutching mills should be excepted from the provisions contained in Part III. of the Bill, at page 56. Were the scutching mills to be excepted, and protection withheld from women under employers doing three-fourths of that description of work, and whose hands carried on their labours in most unhealthy places—were they to be left to the tender mercies of those manufacturers in the North of Ireland? Or, would those manufacturers be willing to accept any maximum limit of time whatever? Unless some protection were given to the workers for whom they were pleading, he said unhesitatingly that the whole benefit of the Bill was lost for Ireland in the quarter where protection was most requisite, if needed at all.

MR. BIGGAR wished to point out to the Committee that it was really not desirable that these mills should work by artificial light. With artificial light there was always a danger of fire, and it was usual enough in Ireland for scutching mills to be burnt down. Few offices would not give insurances on them at any rate offered. What happened was this? A mill was burnt, and a gentleman went to the presentment sessions and made a claim for compensation for malicious injury. He attended personally on the members, and the Grand Jury, who were his personal friends——

THE CHAIRMAN: The hon. Member is not in Order. The question before the Committee refers to the hours of labour.

MR. GRAY thought the Home Secretary could not mean to represent that an Inspector would be required in every mill. How did he propose to carry out his Bill at all? Would it not be by acting upon evidence? They did not mean to watch for a man's committing an offence, but reasonable evidence of his having committed one. The Committee, he thought, were placed in a most extraordinary position. What would be the effect of the discussion in Ireland? It would be said that the right hon. Gentleman had broken through the principle of his Bill to gratify a few of his supporters from the North of Ireland. There would be a suspicion, at least, that the right hon. Gentleman was in favour of women being employed in these places for more than 12 hours a-day.

Mr. ASSHETON CROSS observed that in the consideration of this clause the great fact of which the Committee should take notice was this—that the women whose case they had been discussing were not employed in them during the whole of the year, but only for about half a year, and that during the remainder of it they were engaged at hop-picking, and in other ways. On that account, and not because of the character of their employment in the scutching mills, he should not oppose the clause.

Mr. PARNELL complained of this exceptional clause as unfair to every other trade. If the proposed exemption were made in favour of a single industry, to the exclusion of every other kind of employment mentioned in the Bill, he feared that the people of Ireland would think it was made only in opposition to Irish Members on that of the House on which he sat.

Mr. MUNDELLA claimed to have been one of the best supporters of the Bill, and said if he could not vote for this clause, it was from an honest conviction that such a provision ought not to be passed. It had been said that either 12 hours was not a sufficiently long time for doing the work which had to be done in these mills, or that the exemption would be inoperative. But if the exemption would be inoperative, he would ask why did the Home Secretary introduce these scutch mills into the Bill in the first instance? Having so included them, the right hon. Gentleman could hardly be supposed to think that the exemption would be inoperative.

Mr. FAWCETT understood that the Home Secretary did not now exempt women from the operation of this clause; because, from the right hon. Gentleman's silence, it appeared that he did not pretend to argue even for a moment, that scutching was an exceptional employment, as compared with other trades. What he understood the right hon. Gentleman to mean was, that he was not prepared to interfere with the labour of women in scutch mills, because it only lasted during six months of the year. That appeared to be the reason why the right hon. Gentleman supported the clause. If that was so, they could propose a clause, on the Report, carrying out the principle that the Bill should not apply to women in employments that did not occupy them more than six months of the year. The Home Secretary would then have an opportunity of voting for the principle which he had laid down.

Question put.

The Committee *divided*:—Ayes 36; Noes 107: Majority 71.—(Div. List, No. 39.)

Clause *agreed to*, and *added* to the Bill.

Dr. CAMERON moved a new clause to follow Clause 66, providing for the establishment of local offices; but said he did not intend to press the clause, because the Home Secretary had intimated that he had instituted some administrative change which would ensure that the address of the Inspector would be made known to every person concerned. But the right hon. Gentleman had not stated distinctly whether he was going to make some provision for keeping a register of the names of the occupiers of factories and workshops in every district.

Mr. ASSHETON CROSS said, he saw no difficulty in the matter, so far as factories were concerned, but he did with regard to workshops. He was willing to do anything in his power to meet the views of the hon. Gentleman.

Clause, by leave, *withdrawn*.

Mr. YEAMAN moved a new clause. The hon. Member explained that the clause did not extend to children, but applied only to young persons and women. The exception was claimed, not for factories worked by steam-power, but for those which, being driven by water-power, were liable to be stopped by drought or by flood. These were causes over which the employers had no control. With regard to flood, it was frequently caused by the drainage of the high gathering grounds coming down suddenly into the river which drove these water-mills; for when the drainage water rushed down in that way, it had the effect of stopping the mills. When a drought took place, the ground wanted that retentive power which was requisite to keep up a continuous supply of water. The owners of these mills had expended a large amount of money upon them, and they were now going to be deprived of a privilege which they had enjoyed up to the year 1874, without receiving any compensating advantage. Perhaps, the Home Secretary would suggest that water-power might be supplemented by steam. But the fact was, that many of these mills were situated far from the seaport towns, from which they derived their raw material. This had to be sent, in some instances, a distance of 25 miles; and it was impossible that these factories driven by water could compete with those worked by steam, unless they made up for the loss sustained by drought and flood. The proprietors also complained that, unless they were enabled to give the operatives steady and regular employment, as well as full wages, the latter would go to towns where they might obtain better work. Not only had he himself received requisitions from the operatives of these mills, but a large requisition was sent, two years ago, to the Royal Commission, in favour of an extension of time, in order that they might reap the advantage of the full labour. Another reason for the clause was that, during the last three or four years, competition had been so great that many of these mills had been working at a loss to the owners. Jute mills and other factories had been springing up in France, Germany, and elsewhere, and these foreign manufactures would, when brought into the market, subject the home products to a very severe competition indeed. That fact alone was sufficient to justify the passing of the clause, without which one of the most important industries of this country would be fettered. He hoped that the Home Secretary would agree to the hours as specified in the clause, though the right hon. Gentleman might, if he thought fit, modify the wording in other respects.

Moved to insert the following new clause :—

(Exception for factories driven by water power.)

"Where it appears to a Secretary of State that factories driven by water power are liable to be stopped by drought or flood, he may, by order made under this part of this Act, grant to such factories a special exception permitting the employment of young persons and women from six o'clock in the morning until seven o'clock in the afternoon, on such conditions as he may think proper, but so as that no person shall be employed more than eleven hours in any one day nor more than sixty-one hours in any one week, nor after two o'clock in the afternoon on Saturday, and that as regards factories liable to be stopped by drought, such special exception shall only extend to the months of May and October and intervening months in each year, and as regards factories liable to be stopped by floods such special exception shall not extend to more than forty-eight days in any period of twelve months. This overtime shall not extend in any case beyond the time already lost."—(*Mr. Yeaman.*)

LORD **FREDERICK CAVENDISH** urged the Home Secretary to accept the principle of the clause allowing for lost time, for the position of these mill-owners was a hard one. When the Act of 1874 was passing through Committee, a provision was introduced, allowing for the recovery of lost time; but after the Act had been passed through Parliament, those persons who were concerned in that Provision found that it had been struck out without their knowledge, and that they were suddenly placed in a disadvantageous position. With regard to the character of the occupation, these water mills, being situated in country districts, the workpeople had all the advantages of pure air, and were healthy and strong; more so than those who were shut up in the factories of the large towns. The more regular work obtainable in the latter case would not counterbalance the advantages derived from fresh air and from living in country cottages. If these mills were deprived of the privilege of recovering for lost time, the employed, as well as the employers would suffer; because the former, on finding that they could earn more wages elsewhere, would move off to the steam factories, and these water-power mills would be wiped out. Many operatives would thus be left without employment. He did not think it was advisable that the Legislature should put obstacles in the way of the employers of water-power. This was not a matter of small importance, as a considerable proportion of the mechanical power, applied in textile factories, was worked by water. The principle of the clause was to apply to water-power mills, what had been already applied to other factories by this Bill. Overtime had been allowed for special work, which was done at uncertain seasons of the year; but the necessity in this case was stronger than in that.

COLONEL **DRUMMOND MORAY** said, the clause was one which affected Perthshire, as there were water mills there, for which he claimed this privilege of recovering for loss of time. If it were not granted in some degree to these factories the *employés* would be driven into the towns where they could get regular work. This was especially true of Perthshire, where there was considerable difficulty in obtaining steam-power. The work was far healthier in the country than in the towns, which were already overcrowded. He hoped the right hon. Gentleman would grant some relaxation in favour of these mills.

Mr. ANDERSON said, that as he had got the Amendment inserted which took away the special privileges which water-power mills had previously enjoyed, he desired to say that if it were now proposed to restore these, he would oppose it; but the concession now asked was a very moderate one. He thought the clause was fairly guarded, and he hoped the Home Secretary would accept it.

Mr. ASSHETON CROSS, in stating the reasons why he had not inserted in the Bill such a provision as that which this clause contained, said, the privilege of working overtime at the water-mills was allowed by law before the Act of 1874 was passed. The opinions of the Inspectors as to the working of that principle were certainly not of a discouraging character. Mr. Redgrave, in his evidence before the Royal Commission, had stated, with reference to the recovery of lost time in water-mills, that he did not think the Factory Act was ever intended to carry out that principle as a regular system; the whole object of the Legislature appeared to be to provide against cases of exceptional difficulty, and over which the mill-owners had no control, whether that difficulty arose from too much or from too little water. The same witness remarked that the Legislature evidently meant that these should be considered natural causes, and to that extent there seemed to be a grievance; so that those who worked their mills by water power ought to have some means of recovering the time lost by the intervention of such natural causes. That was the opinion of some of the Inspectors. The noble Lord opposite (Lord Frederick Cavendish) had said that the exceptional provision, introduced in the Act of 1874, was struck out while the Bill was passing through Parliament, without the knowledge of the gentlemen concerned, and that they first became aware of it when the Bill had passed into law. That statement was not in accordance with his own recollection of what actually occurred; for, if he was not mistaken, scarcely a single day passed without his seeing some gentleman, connected with water-power mills, who begged that the clause might be restored. The Royal Commission, no doubt, went fully into this question, and, in their opinion, some modifications might be made, probably such as were now suggested by the hon. Gentleman who introduced this clause. Formerly those persons who had mills that went by steam, were allowed to recover lost time when there was a breakdown of machinery; but the same Commission which reported against granting this privilege in favour of a breakdown of machinery, had reported in favour of mills worked by water-power. That was looked upon as a very great hardship, in 1874, by persons employed in factories. He did not know how many mills were worked by water-power; but he did know that a good many of them had got steam-power in order to assist them. That, he believed, was a growing practice, and one which would probably grow more and more. Although the Act had been in operation for upwards of four years, no doubt some persons had spent a good deal of money in that way, while others had gone on as they were, hoping that at some time or other the Act might be altered. The reason why he did not put a clause of this kind in the Bill now before the Committee was that he did not think the evils which existed in 1874 were sufficiently proved before the Commission. There was always great difficulty in finding out, with certainty, how much time was lost; because that must depend, in the first place, upon a register being kept accurately in the place where the business was carried on; and, in the next place, upon the Inspector's keeping a proper return of the time lost. Those were the reasons which induced him not to insert any clause on this subject in the Bill as originally framed.

Mr. RATHBONE spoke of the healthiness of the employment carried on in these country mills. During the last four or five years, the Charity Organization Society at Liverpool, and the Board of Guardians there had sent from that town about 1,400 women and children into the factories. That large number of persons were bordering on pauperism when they came under the notice of those two bodies, and their employment in those mills had saved them not only from approaching pauperism, but also from vice, the consequence too often of poverty. They were saved from that fate, and sent to good employment and healthy occupation. The country mills were by far the more favourite outlet for such labour. Anything that would diminish an outlet of that kind to such a population was very much to be regretted; and it seemed to him that this sort of legislation required to be justified by proof that it would confer the benefit of health upon those to whom it applied. In the present Bill, without a clause like that now proposed, the Government were weighting very heavily those manufacturers who, under great difficulties, were struggling in their competition with large towns. The tendency, at the present day, seemed to be an injurious indraft of the population into the large towns, and when the people from the country districts had once entered the large towns and become accustomed to the excitement which prevailed there, they could not induce them to go back to their work in the country. Therefore, by placing restrictions upon these mills, which were almost invariably in the country districts, he thought the Legislature would not benefit either the health or the morality of the persons employed there. On the contrary, it was putting a difficulty in the way of an employment, which was both more healthy and more conducive to virtue, than was to be found in the midst of a dense mass of population in the large towns.

MR. HARDCASTLE supported the clause, on the grounds just urged—namely, the real interest of the working people themselves. It did certainly appear to him most undesirable to discourage the kind of industry which the clause endeavoured to sustain. They all knew there was a natural tendency for the smaller factories, with less power, to succumb to the larger factories with greater. The inference, therefore, was this—that exceptional legislation was needed to meet that inequality. He hoped the right hon. Gentleman would accept the clause.

MR. MUNDELLA agreed with the hon. Member for Liverpool (Mr. Rathbone), that it was desirable to encourage water mills, and employment in rural districts, as far as possible. Ireland had plenty of water power, and if Irishmen had an equal amount of enterprize, they might soon vie with manufacturers in any part of the three Kingdoms. He would support the clause if only the Home Secretary took care that steam-power was supplementary to water-power at these mills, and that it was not abused.

MR. ORR EWING expressed a hope that the right hon. Gentleman would assent to the clause, as it would benefit many poor people in Ireland and Scotland. At the same time, his own opinion was that where there had been enterprize and wealth enough to provide steam-power as supplementary to the water-power, which was rendered necessary by the legislation of 1874, that they should be dealt with in the same way as those other manufacturers who had not erected supplementary steam-power.

MR. E. J. REED looked upon this question as one of some importance, since so large a number of woollen manufactories were driven by water-power. He should not have supported the clause if it had not been strictly limited to some compensation being provided for the interference of nature in the process of manufacture. It was different from the breaking down of machinery, which was more or less under the control of those who had the care of it. The clause was carefully guarded so as to be confined to the interference of droughts and floods; and he had heard nothing from the Home Secretary which discouraged him in the hope that the right hon. Gentleman would assent to the clause, as it stood.

MR. ASSHETON CROSS said, he had already given the Committee the reasons why this clause had not been inserted in the Bill. This clause was different in its terms from the one shown to him some time ago. He would now accept the clause, upon the understanding that he should be allowed, on the Report, so to alter its language as to provide all the necessary safeguards.

Clause *agreed to*, and *added* to the Bill.

MR. FAWCETT moved a new Clause to the effect that the provisions of the Bill should not apply to those cases where women were employed not more than six months of the year, in any factory or workshop. The hon. Member explained that the object of the clause was simply to carry out the principle for which the Home Secretary had been contending, and which had induced the right hon. Gentleman to accept the clause of the hon. Member for Downpatrick (Mr. Mulholland).

MAJOR NOLAN, considering the importance of this proposal, moved that the Chairman be ordered to report Progress; because, at so late an hour as 10 minutes to 1, it was impossible for the Committee to discuss it properly.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Major Nolan.*)

MR. ASSHETON CROSS thought the Committee might dispose of this clause at once, as they had been discussing the subject of it so long. When they reached a disputed point connected with a Schedule of the Bill, he would be willing to allow Progress to be reported.

MR. MACDONALD supported the Motion for reporting Progress.

MR. MUNDELLA did not think his hon. Friend (Mr. Fawcett) was really in earnest in proposing this clause. It was too late to argue the whole question. If his hon. Friend was anxious to discuss it further, he would have an opportunity on the Report.

MR. MACDONALD remarked that the hon. Member for Walsall (Sir Charles Forster), who had an Amendment to propose on the 1st Schedule, had left the House under the impression that there was an understanding not to take the Schedules that night.

MR. O'SHAUGHNESSY said, the clause offered a compromise upon this broad principle, that where the work of women only extended to six months of the year, no interference should take place. The Home Secretary had said this question had been discussed, and decided that evening. That was not exactly the case. This question had been discussed with reference to one industry, and one alone; and it had been decided so far as that industry was concerned. It had been applied to an industry which was attended with danger to health. But the question now raised by the hon. Member (Mr. Fawcett) was a very broad one; its discussion would occupy a very long time, and if applied to all other branches it would be a most dangerous proposal, since they were not so detrimental to the human frame as the trade which had been under consideration earlier on in the evening.

MR. FAWCETT said, he certainly was in earnest when he proposed this clause, and he had been in earnest throughout the consideration of this Bill. After his defeat on the question of excluding women from any new restriction, it was not his intention to place obstacles to the Bill. He accepted that defeat. He had been particularly anxious to get a distinct understanding on this point. If the Home Secretary had said that scutch mills were so exceptionally healthy that women might be employed in them on that ground, then no new principle had been introduced into the Bill; but he understood the right hon. Gentleman distinctly to assert that he had not infringed the principle of the Bill as originally introduced, and that his contention, with regard to women, was that their casual employment was no reason why it should be interfered with by the Bill. If that was the case with regard to scutch mills, this clause raised the distinct principle that the casual employment of women ought not to be interfered with in any other industries which were less detrimental to health than scutch mills were admitted to be. Therefore, it seemed to him, from the Home Secretary's own showing, the right hon. Gentleman was bound to accept the clause now proposed, or one similar to it in principle. The clause had a practical bearing on a very important point, for what would now be the position of women in any other employment compared with that carried on in scutch mills? With regard to scutch mills, the principle now laid down was this —because women were employed there for six months of the year, any manufacturer, if he liked to do so, might employ women, at any sacrifice to their health, for 16, 17, or even 24 hours a-day; for there was no limit whatever imposed. If an employer of labour, who was in the habit of engaging men, employed women for only one or two months of the year, he and his industry would be brought under the operation of this Bill. Hundreds and thousands of industries might come within the operation of the Bill in that way. If they were not going to act inconsistently with what they had already done, the Committee must accept this clause. Whether it should be discussed that night, or whether Progress should be reported, were questions which he left in the hands of the Committee to decide.

Mr. BIGGAR hoped the Government would admit the importance of this question, and not give hon. Members the trouble of dividing a number of times on the question of reporting Progress. There could be no attempt to pass the Bill entirely through Committee that night, and why there should be this question of reporting Progress he could not see.

Lord FREDERICK CAVENDISH wished to suggest one reason to the hon. Member for Hackney (Mr. Fawcett) why he should withdraw his Amendment. He would ask him how it was possible that this Act should effect any amendment in the law if this clause were passed? A complete system of registration would be required to prove that any woman had ever been employed in a factory. He could quite understand those who objected to any interference whatever raising a clause of this kind; but if they were to have an Act at all they should not make it mere bye-play.

Mr. PARNELL said, the Government had raised an entirely different principle from that of the Amendment of the hon. Member for Hackney, and if the hon. Member went to a division he should support him. If the hon. Member considered the Amendment necessary, and if he did act in the interests of women, he could only say that in previous clauses the principle raised by the right hon. Gentleman the Home Secretary desired not to serve the interests of women but the interests of employers. What the Committee had to decide was whether they would, on the one hand, carry out the principle of serving the interests of employers or, on the other, the principle of supporting the interests of women.

Major NOLAN observed that the hon. Member for Hackney had taken a very active interest in the Bill, and the hon. Member for Meath (Mr. Parnell) had also watched the Bill very closely. The Bill ought, therefore, to be considered another time, and the Committee ought to protest against going further.

Mr. ASSHETON CROSS: I hope the hon. Member will not press this question further. It has been already, as I distinctly pointed out, considered over and over again.

Question put.

The Committee *divided*:—Ayes 16; Noes 77: Majority 61.—(Div. List, No. 40.)

Mr. FAWCETT said, that after the division that had taken place it was evident that the great majority of the Committee wished to go on with the Bill, and he should therefore ask leave to withdraw the proposed new clause.

Clause, by leave, *withdrawn.*

Schedule 1.

Motion made, and Question proposed, "That the Schedule stand part of the Bill."

Mr. PARNELL: I thought the right hon. Gentleman was not going on with the Schedules.

Mr. ASSHETON CROSS: I said I would stop at the first opposed part.

Mr. PARNELL: I think we are entitled to some explanation.

Mr. MUNDELLA said, he had an Amendment to Schedule 1 on the subject of "dry grinding" and "wet grinding."

Mr. J. HOLMS: I rise to Order. I think the hon. Member for Walsall (Sir Charles Forster) has an Amendment before that.

The CHAIRMAN: It is so.

Mr. ASSHETON CROSS: I promised the hon. Baronet it should be discussed.

Motion *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Thursday* next.

STATUTE LAW REVISION (IRELAND) BILL.

On Motion of Mr. Attorney General for Ireland, Bill for the Revision of the Statute Law of Ireland, *ordered* to be brought in by Mr. Attorney General for Ireland and Mr. James Lowther.

Bill *presented*, and read the first time. [Bill 122.]

House adjourned at twenty minutes
after One o'clock till
Monday next.

HOUSE OF LORDS,

Monday, 1*st March,* 1878.

MINUTES.]—Public Bills—*First Reading*—Matrimonial Causes Acts Amendment* (34).
Second Reading—Glebe Loans (Ireland)* (32).
Third Reading—House Occupiers Disqualification Removal (Scotland)* (29), and *passed.*

THE AUXILIARY FORCES — THE VOLUNTEERS.—QUESTION.

Lord ST. LEONARDS begged to ask the noble Earl the Prime Minister, Whether Her Majesty's Government were prepared, in the event of certain contingencies, to hold out any inducement to the Volunteers to offer themselves for foreign service in the event of war?

The Earl of BEACONSFIELD: My Lords, when the contingency arises to which my noble Friend has referred—namely, the necessity of appealing to the patriotism of our Volunteers in respect of foreign service—I have no doubt the appeal will be answered; but until the contingency arises, Her Majesty's Government will not give—as they have not given—that consideration to the subject which my noble Friend seems to anticipate. It is a contingency which, I am sure, we must all deprecate.

THE EASTERN QUESTION—RUSSIA AND TURKEY.—THE TREATY OF PEACE.—QUESTION.

Earl GRANVILLE: My Lords, I beg to ask the noble Earl the Secretary for Foreign Affairs, Whether the announcement made in the papers to-day that the Treaty of Peace has been signed between Russia and Turkey is a true one; and also, whether he can state to your Lordships the probable time at which he will be able to inform your Lordships of the terms of the Treaty?

The Earl of DERBY: My Lords, I have received both from Constantinople and from St. Petersburg official confirmation of the signatures having been attached to the Treaty of Peace between Russia and Turkey. The terms of the Treaty are not yet in my hands; but I may take this opportunity of stating that I am now able to confirm the announcement made by me with some hesitation on Friday last—namely, that the cession of the Turkish Fleet is not included in the conditions of peace. I am also able to state that the pecuniary indemnity—of which we heard a great deal in an unofficial manner—has been reduced from the original sum of £40,000,000 to £12,000,000, and that the Egyptian revenue will not be in any manner affected by it. When we have the complete terms of the Treaty—and it is hardly necessary to add that we shall do what we can to obtain the terms at the earliest possible date—we shall communicate them to your Lordships' House.

PARLIAMENT—BUSINESS OF THE HOUSE.—RESOLUTION.

Viscount MIDLETON rose to move—

> "That, in the opinion of this House, the sittings for Public Business should commence at 4 p.m. instead of 5 p.m."

The noble Lord said, it was a common impression that the advisability of the change which he proposed had been several times discussed in their Lordships' House, and with results adverse to the proposal. But this was not so. The question had only once before been brought under the consideration of the House—namely, in 1867—when a noble Earl who generally sat on the benches opposite (the Earl of Shaftesbury) moved for a Select Committee to inquire into the subject. Seventeen Peers were nominated to serve on the Committee. In the course of the discussions which took place in the Committee, the noble Earl who had moved for its appointment brought forward a Resolution, which was carried by a majority of 8 to 7 to the effect that the House should, after Easter, meet at a quarter past 4 o'clock for the despatch of Public Business. Later on, when the Report of the Committee was finally considered, two of the former majority were absent, and an Amendment was carried by 7 votes to 6. He had himself thought of moving for a Return showing the number of occasions on which their Lordships' House had sat for only half or three quarters of an hour; but, after going over the records of one or two Sessions, he thought it more prudent to ask for no Return of that description. The result of his observations since he had had the honour of being a Member of their Lordships' House, were these—On many occasions there was little or no Business, and the House rose from half-an-hour to three-quarters after the commencement of the Sitting. On other occasions, there was a regular debate which came on after formal Notice; on other evenings a debate sprung up in consequence of some unexpected question or incident. In the first case, the attendance of Peers was little more than nominal; but in the two last, perhaps 25 or 40 noble Lords, who had been serving on Private Bill Committees or Select Committees of the House, remained to take part in the Evening Sitting. Now, these Committees rose at 4 o'clock. Therefore an hour to an hour and a-quarter had to elapse before the House commenced business. During that interval many of the Peers left the House and went elsewhere. Some went to the House of Commons and remained for some time if any discussion of interest detained them in the Gallery of that House. He believed, therefore, that if their Lordships met earlier a larger number would be in attendance when the time for beginning Public Business arrived. On the nights when there were regular debates, as their Lordships were not in the habit of prolonging their discussions into the early hours of the morning, the more humble Members had little opportunity of taking part in them between the hours of 5 P.M. and 12 P.M., the whole evening being monopolized by speakers of the first rank, most of whom held, or had held, official positions. The consequence was the discouragement of young Members, who might desire to train themselves to take a more prominent share in their debates hereafter. In the House of Commons there was a sort of tacit arrangement that some time should be allotted to the less prominent Members. The change he proposed would be still more sensibly felt on what he might term the intermediate evenings, when questions of public interest were put to Ministers in that House. Now, these answers were simply a *rechauffé* of information already given in the other House, where the Questions were put and answered three-quarters of an hour earlier. He had heard an objection to his Motion, that, as under the Statute, no Peer need enter the House before 5, therefore their Lordships might be interrupted, if they met earlier, by Peers coming in. But it was only since 1843 that the hour for noble Lords to take their seats had been extended to 5 o'clock. He found that from the time of Charles II. to the year 1843 the time assigned for a Peer taking his seat was before the hour of 4. In that year Lord Campbell passed an Act extending the time to 5 o'clock. The next objection was that, if their Lordships were to revert to the former hour, the Committees would rise earlier than they did at present. In the House of Commons Committees did not sit after 4 o'clock. Their Lordships' Committees sat at 11 A.M., and in the other House they did not sit before 12 o'clock. From 11 to 4 as much could be done as was necessary for public usefulness, and it would not be desirable to extend the Sittings later than 4 o'clock. The third objection was that those of their Lordships who held offices in the Government would find a difficulty in coming down to their Lordships' House at 4 o'clock or half-past. He could hardly conceive that that could be a serious objection to urge against the proposed change; for if their Colleagues were able to be in the House of Commons by half-past 4 o'clock to answer Questions, Ministers in their Lordships' House, who had not been kept till perhaps 2 o'clock in the morning, would surely be able to be in their places in their Lordships' House by half-past 4 o'clock. He might observe, also, that in the majority that supported the Resolution in the Committee of 1867 were six noble Lords who had previously held office under the Crown, and who had frequently held office since that time. The House now sat for legal business at half-past 10. The last objection was a more serious one, and had reference to the legal Sittings of the House. Until 1853—and he believed later—their Lordships' House sat at 10 o'clock in the morning for the disposal of legal business. He could see no reason why they should not again sit at 10 o'clock, and save half-an-hour at the commencement of the day. The noble and learned Lord on the Woolsack was, no doubt, the hardest worked man of their Lordships' House during the Session of Parliament, and every consideration ought to be shown to him. Now, he (Viscount Midleton) could not see why the Deputy Speaker of their Lordships' House should not discharge his duties for the first hour. Since the Judicature Act the judicial strength of the House had been enormously increased, whilst the business, on the whole, had become lighter. On the whole, he was of opinion that the change which he proposed would be found, if adopted, to work beneficially. It would promote a greater economy of time; and in those nights when debates took place it would greatly improve them by allowing many more Peers to take part in them, who were now prevented from doing so from want of time. The interest taken in their Lordships' House would also be enormously increased by a time being fixed for answering Questions, instead of as now their being answered at a time when all the interest in them had vanished. His sole object in bringing this Motion forward was to add to the honour and dignity of their Lordships' House, and add to its efficiency in the discharge of public business.

Moved to resolve, "That, in the opinion of this House, the sittings for Public Business should commence at 4 P.M. instead of 5 P.M."—(*The Viscount Midleton.*)

LORD SELBORNE said, he had waited in the hope of hearing some of their Lordships express an opinion on this Motion before he ventured to give his own—for he had certainly formed one on the subject. No doubt their Lordships were all individually concerned in the proposed change; and nothing could be of greater importance to the country than that the efficiency and dignity of the debates in their Lordships' House should be maintained in the future as they had been in the past. He thought that the change proposed by his noble Friend would tend to produce that effect. One, however, of the reasons put forward by his noble Friend did not strike him as of any serious importance. He alluded to the argument founded on the fact that Questions were answered in their Lordships' House later than in the other House of Parliament. He could not think that the fact that Questions were put and answered in their Lordships' House half-an-hour later than in the other House would in itself be a good reason for any considerable change in the hour at which their Lordships ordinarily met for Business. Then, with regard to their debates—it certainly was most important that young Members should be encouraged to feel an ambition to take part in the discussion of public affairs, and so keep up the reputation of their Lordships' House; and if the fact was, as his noble Friend supposed, that when an important and prolonged debate took place there was not opportunity for all who wished to do so to take part in it, this would certainly be an evil for which a remedy ought to be found; and, if no better remedy could be suggested, it would be a reason in favour of this Motion. But his own reason for thinking the change expedient was rather founded on the third class of Sittings to which his noble Friend had referred — those, namely, which were occupied by business on which there was no great public excitement, and as to which no division was intended to be taken. He thought his noble Friend had scarcely done justice to his own case when referring to that class of Sittings as one in which discussions arose in an unexpected manner. Ever since he first had the honour to enter their Lordships' House, he had observed that on occasions when no division was expected, and when no very exciting question was under discussion, although the business might be of much real importance, and came on after full Notice, there was the utmost difficulty in inducing Members of the House to remain after that hour at which noble Lords were in the habit of going to get ready for dinner. If he was wrong, he apologized; but that was his impression. He believed that one of the reasons of the popularity of their Lordships' House was the opinion that, by their close attention to the details of Bills, their Lordships made good many omissions, and cured many defects in Bills as they left the other House of Parliament. And that was quite true in the case of Bills sent to Select Committees. It was not, however, so correct in the case of Bills the details of which did not attract much public notice, and which were carried through Committee in the ordinary way. Their Lordships might well consider whether, in the stages of second reading and Committee of such Bills, Members of the House were not discouraged from discussing those measures through the feeling that there was not sufficient time for the purpose between a quarter-past 5 and half-past 7, or a little later. Nor was this by any means the whole of the evil. The time available was too limited for the effective discussion of any question whatever, even when it might be most highly desirable that it should be fully discussed. Many such discussions were either not attempted at all, or were virtually suppressed when they were attempted—the unwillingness of noble Lords to remain beyond a certain hour being a discouragement to debate, which was felt by old as well as young Members of the House. The most serious obstacle to the proposed change was its operation on the legal Sittings; but their Lordships would bear in mind that at present the House of Lords had power to sit out of Session for the hearing of appeals, and to sit on Wednesdays for that purpose; and if the legal sittings for the day ended at half-past 3—half-an-hour earlier than at present—that would be compensated by a more than corresponding gain if they could induce a greater number of Members to take a share in the Business of the House. As to the Lord Chancellor, he, of course, could not be expected to take his seat on the Woolsack immediately after he had risen from hearing appeals; not because that interval was one of rest, however necessary some rest might seem after five or six hours of labour, but because it was the only time during which he could transact other indispensable official business before the meeting of the House. The case in respect of the Lord Chancellor might, however, be met by an arrangement such as that proposed by his noble Friend who had moved the Resolution — namely, that the Deputy Speaker should take the seat on the Woolsack until the Lord Chancellor came in. Upon the whole, he was favourable to the proposed change.

THE LORD CHANCELLOR said, the noble Lord who introduced the subject had made some remarks in a considerate spirit for the office which he (the Lord Chancellor) had the honour to hold; but that was not sufficient—he submitted that the burden lay on those who proposed this change to make out clearly that some advantages would arise from it. It was somewhat singular that there appeared no community of spirit between his noble Friend who brought forward the Resolution and his noble and learned Friend who had just spoken in its favour. His noble Friend adduced three reasons, and his noble and learned Friend, not at all concurring in those, set up a fourth reason. In the first place, urged his noble Friend, an anomaly and an inconvenience existed, with reference to Questions put in this and in the other House of Parliament—that when the same Question was to be put in both Houses of Parliament the Answer was given in the other House before it was asked in their Lordships'; and that, therefore, the Answer given in their Lordships' House was already discounted. Now, he might be allowed to remark that if that were the case the proposition of his noble Friend did not meet it in the slightest degree; because, whereas under the present arrangement the Answerw as given first in the House of Commons, and in their Lordships' House at a later hour, if the change proposed were made the Answer would be given in the other House of Parliament later than in their Lordships' House—which would be simply a reversal of the anomaly. The proposition was that their Lordships should meet at 4, when Questions could be put; but Public Business did not commence in the other House of Parliament till half-past 4. But was it a fact that the Answers given in their Lordships' House were less interesting because they were made after those in the other House? Unless his eyes deceived him among those who came to their Lordships' House to hear Answers given to Questions, and who awaited those Answers with great apparent interest and anxiety, were many who had already heard the Questions put and replied to in the other House. And that always would be so, for this reason—that their Lordships' Standing Orders were more pliant and more flexible, and allowed of fuller and more explicit Answers than could usually be made in the other House. Their Lordships' forms of proceeding were so flexible that it was quite a common thing for Members of the other House, after hearing a Ministerial statement there, to come to their Lordships' House to listen to the fuller Answer that could be returned to any Question. Another argument of his noble Friend was that there was a certain number of their Lordships serving on Select Committees, which met at 11 o'clock and adjourned at 4; and that, therefore, those noble Lords who desired to remain to listen to the evening debate, had to roam about the building, or find amusement elsewhere, until 5 o'clock. It appeared to him that the fact thus relied on by his noble Friend would not at all justify the change he proposed. It might be a reason for some change. It might be a reason why the Committees of their Lordships' House should meet at 12 and go on until 5 or a quarter before 5; but why arrangements affecting all the Members of the House should be changed to meet the case of the comparatively small number of Peers who, at a given time, were to be found serving on Select Committees was what he could not understand. The third ground put forward by his noble Friend was the most important. His noble Friend said he had noticed that when there was a great and important debate, there were a number of Members—and especially of the younger Members—unable to find an opportunity to address the House. Now, he was sure that all their Lordships would wish that the younger Members of the House should take part in the debates; but he ventured to ask the noble Lord on how many nights in a Session did that House continue a debate till midnight? Could those nights be counted on the fingers of one hand or on the fingers of both hands? He asked him, if that were so, whether for so small an emergency it was necessary to make so great a change? He would go further, and ask whether there was any real want of opportunities for Members desiring to address their Lordships? He believed, from his own experience of that House, that there never had been a single instance in which the slightest disposition had been evinced by the House to close a debate at 12 o'clock, as long as any desire was manifested on the part of noble Lords to speak on the question under discussion. He knew there had been occasions when a wish was expressed to terminate a debate on a particular night; but on those occasions the debate did not cease at 12 o'clock—it was carried on till the small hours of the morning. There was always the opportunity of ensuring a debate; and he might add that when there was reason to apprehend an unusually long debate, there was nothing whatever to prevent their Lordships resolving that on such an occasion the House should meet an hour earlier. That might be done when the occasion arose without making a change to apply to the Sittings generally. But his noble and learned Friend (Lord Selborne) made a statement with respect to the dinner-hour from which he (the Lord Chancellor) must demur. He had always observed that when there was before the House a question of real interest that question secured serious consideration and discussion, and that, even despite the terrible dinner-hour, the attendance of Peers was kept up. Certainly, on other occasions, and when such questions were not before the House, he had seen the approach of the dinner-hour act indirectly, but not always uselessly, as the "count out" did in "another place." Again, when the clauses of a Bill were being considered in the ordinary way, and not by a Select Committee, it was not always a disadvantage to have the Committee of the Whole House more limited rather than too large in number. In the case of long debates the gain of time—one hour—by the proposed change could have but a very small effect in giving young Members encouragement to take part in the debates. As to the effect of the proposed change on the Judicial Business of the House, he had to observe that the adoption of the noble Lord's proposal would strike in a most serious manner against the whole of the Judicial Business. This business occupied on an average five hours each sitting day. Now, let them strike off one hour from that, and it was clear that while they reduced the time for the business by one-fifth they would add one-fifth to the cost of having that business discharged. Was the House prepared to sanction that? It was said that the House might sit at 10 o'clock in the morning for the commencement of Judicial Business. All the Appellate Courts in the Kingdom sat at half-past 10—and, he was sorry to say, not always punctually at half-past 10—whereas their Lordships' House sat punctually at that hour for Judicial Business. None of the primary Courts, except the Rolls Court and the three Vice Chancellors' Courts, sat at 10 o'clock; and for their Lordships' House to sit at that hour would cause much inconvenience to professional gentlemen. It was said that the House might meet for Law Business on Wednesdays. Well, that was a day devoted to Cabinet Councils and to other business to which the Lord Chancellor had to attend, besides his business in the House of Lords. As to the proposition that, as Deputy Speaker, his noble Friend the Chairman of Committees might sit on the Woolsack from 4 o'clock till some time after that hour, when the Lord Chancellor would come in and take his seat, why, it often happened that the first Order of the Day was a Committee of the Whole House. How could such an arrangement be carried out in that case? He wished to point out that unless the House was prepared to say that it desired its Judicial Business to be suspended at 3 o'clock, the Lord Chancellor would be placed in a totally different position with respect to attendance in the discharge of that Business from that which he at present occupied. In the interval, he might add, which now elapsed between 4 and 5 o'clock the Lord Chancellor had to see his Secretaries, to receive deputations, and generally to look after the work of his Department; and it would hardly be well, he thought, to take away the hour which he now had at his command without affording him another opportunity for the purpose. For those reasons, he must submit to their Lordships that no good grounds had been made out for assenting to the Motion.

EARL GRANVILLE said, he thought that the reasons given for the change by the noble Lord who had introduced the proposal were entitled to considerable weight. He entirely concurred in the statement of the noble Lord, that the way in which the Business of the House was now conducted did not afford sufficient encouragement to its younger Members to take part in its debates—a matter of much importance, as it tended to keep up the debating power of the House;—and he would also remark that the examples furnished by several noble Lords whom he saw around him showed that those Peers who had not the advantage of previous training in the House of Commons need not on that account despair of taking a brilliant part in the discussions in their Lordships' House. There was, however, a difficulty in the case of the junior Members of the House in finding an opportunity to do so; and that opportunity would, it appeared to him, be to some extent afforded if the hour proposed were added to the time at their disposal. The debates, he might observe, on which he was disposed to lay the greatest stress, were those which arose sometimes without any division being taken, and in which speeches were made by Peers of the greatest weight. Taking the month of July last, he found that there were 16 Sittings of the House. There were no very late sittings. Nine out of those Sittings varied from 5.20 to 6.45—there being no divisions. In the case of the other seven, the House adjourned once at 8.25, again at 8.10, 7.30, 7.45, and 7.40. Now, the noble and learned Lord on the Woolsack said he never saw any unwillingness on the part of Members of the House to sit out the debates during those hours when subjects of importance were under discussion; but his own experience, he must confess, was of the opposite character. From a quarter past 5 o'clock to a quarter to 7 he did not know that any Assembly could give a more patient hearing to the speakers who happened to address it; but at the latter hour there was a general rustling of lawn sleeves, and the benches that were generally occupied by them were almost certain to become perfectly deserted, while five or ten minutes after he observed lay Peers by degrees quietly leaving the House in one direction or another. A certain number, it was true, remained, looking very woe-begone, and listened patiently to any Ministerial statement if one was being made; but if any young Member rose to speak, it was almost impossible not to trace in their faces an expression the reverse of encouraging to the youthful orator. It would, therefore, in his opinion, be of great importance that an additional hour should be given to the debates, especially seeing how frequently important discussions were incidentally raised. As to the remark that their Lordships exhibited a liking to go home to dinner, he would observe that that was a feeling which was by no means confined to their Lordships' House. The Members of the other House appeared to be influenced by pretty much the same desire—although it was true they returned to attend to business later on in the evening. There might, he admitted, be some inconvenience to official Members of the House if the present Motion were adopted. The afternoon would, in consequence, be shortened for them; but that was a difficulty which ought not, in his opinion, to stand in the way of the change if it were likely to be of advantage to the transaction of Public Business. The objections which had been raised in reference to the position of the Lord Chancellor were, he admitted, of considerable weight; but as to the small number of Peers who, after leaving the Committee-rooms at 4 o'clock, did not return to the House again, it was to them a matter of indifference at what hour the House met for the transaction of Public Business. There were others, however, who did come back, and unless they had letters to write or paid a visit to the Aquarium, they had nothing to do between 4 and a quarter-past 5—so that in their case the proposed change would, he thought, be an advantage, seeing how often the House adjourned immediately after assembling, and how frequently, therefore, they would be able to have an hour's exercise when it had done so, instead of wasting their time while waiting for the meeting of the House. He was very much strengthened, he might add, in the views which he held on the subject by what had fallen from his noble and learned Friend near him. The time of the Lord Chancellor was of immense value; and it was to be regretted that Lord Chancellor after Lord Chancellor should think it necessary to remain so many hours on the Woolsack. Often he remained on the Woolsack during a long Sitting, when his aid was not in the least requisite, and when he might be most usefully employed elsewhere. It was said that he occupied the position of the Speaker in the other House. But he (Earl Granville) had known when there were more than one Speaker—in Lord Denman's time there were two Deputy Speakers—and he thought there might very well be two now to meet the special requirements of any case. The noble and learned Lord thought the change would operate injuriously to suitors. He (Earl Granville) could not see why the appeals should not go on to 4 o'clock; and then the House meet at 4.15. On the whole, the discussion had confirmed him in the opinion that it would be an advantageous change if their Lordships were to meet an hour earlier as proposed.

THE EARL OF BEACONSFIELD: My Lords, my noble Friend in his very ingenious speech—which reminds me of some he made in "another place" where I was his companion—has complained of a want of freedom and facility in our debates; and has stated, in a manner with which I daresay many will sympathize, the lack of opportunity afforded to younger Members of the House from the general tenor and management of our discussions. But I must say that my noble Friend—although his opinion, no doubt, was most sincere on the point—gave us, in the speech which he made, no encouragement whatever to hope that a larger area of debate would be the consequence of the success of his position. My noble Friend has a very strong conviction on this question; but what is the course which he takes? He goes about, according to his own account, canvassing the opinion of noble Lords on both sides of the House—then states those opinions here and refutes them; whereas what he ought to have done would have been to have induced them to state their views in their places—then we should have had an animated debate. Now, from the peculiar process adopted by my noble Friend, it is almost impossible for any of them to open their mouths. I will not touch on the questions which have been exhausted in this debate, although it has not been of long duration; but I must express my agreement with my noble and learned Friend the Lord Chancellor that the argument of my noble Friend that this House is debarred from making inquiries on matters of great import in consequence of those inquiries being anticipated in the House of Commons, is an argument that cannot be sustained. This Session has been remarkable for the number of interesting Questions, naturally arising from the state of affairs, which have been produced in this House; and I am sure, if your Lordships look either to the Gallery where Members of the House of Commons meet, or look to the Throne, you will remember that on every occasion this House has been thronged to hear the Answers. Then, in regard to the three divisions into which my noble Friend has arranged his speech on this subject, I do not exactly see myself how his Motion, if carried, would meet the difficulties which they each of them severally offer. In the first place, there is a series of evenings, we are told, in which nothing is said. It can scarcely be necessary to add to the duration of time for those Sittings. Then there is a series of evenings when there are great debates, lasting many hours, and in which it is of importance that an opportunity should be given to our youthful Members. Well, but I can hardly believe that the short increase of time suggested by my noble Friend—which the noble Earl (Earl Granville) has already curtailed by a quarter of an hour—would afford that relief which is so indispensable. How is it to be managed? Is the three-quarters of an hour thus gained to be devoted entirely to the youthful Members? Is it to be understood that the debates are always to be begun by the younger Members and continued by them till the three-quarters of an hour have expired? I say this, as one who unfortunately no longer can sympathize with youthful Members, yet as one who, in "another place," as much as any man engaged in conducting the Business of Parliament, tried to encourage youthful Members. But it is a difficult task; and I can assure you, my Lords, that the want of opportunity youthful Members experience is not confined to the House of Lords; nor is it the result of our rules and regulations. In "another place" I remember that youthful Members made still stronger complaints than I have heard in this House. Then, there is the third series of Sittings, in which debates, without any previous Notice, which would command an attendance, still give rise to animated and interesting discussions which it is supposed ought not to be cut short by the arrival of the half-hour after 7. Well, I should say upon that subject that, generally speaking, it cannot be denied that if there is a question of public interest under discussion, a Member of the House of Lords would not hesitate for a moment to sacrifice even his dinner. It is a fact that in society our social experience often shows us how Members of both Houses—and especially Members of the House of Lords—are too late for dinner—and the fact is probably due to the prolongation of debates in which they wish to express their opinion, and take that part which is expected of them. Now, in regard to the question, in which most weighty considerations are involved, of our Judicial Business in this House, I think the remarks of the Lord Chancellor must have been conclusive; but it does appear to me, speaking from experience of the other House, that there is an easy and adequate solution of our difficulty. There is no reason why this House should always meet at the same hour. As the Session advances, those responsible for the conduct of Business in the other House of Parliament, move that the Business should begin earlier for the rest of the Session; and we find that there is no difficulty in Members adjusting themselves to the new rules—all that is required is thus supplied. After all, you must take a broad view of this question; and, when we are asked to supply more time for our discussions, we must, to a certain degree, in the opinion at which we arrive, be influenced by the experience of the House. The noble Lord opposite gave a portion of its history. I hold in my hand a complete Return for the past year. In the last Session the House sat 93 days. On 49 occasions the proceedings were over by 6 o'clock; on 41 days the House rose between 6 and 9; and only thrice did it sit beyond the later hour. In the face of this Return I do not see how we can make out a case that there is not sufficient time for the general discussions of this House. There may be periods of interest, there may be circumstances of great importance—which might render it desirable that the time allotted for discussion should be enlarged; but I wish to impress upon the House that the remedy is in their own hands. There should not be a fixed rule, like the laws of the Medes and Persians, that the House should meet at 5 o'clock. As the Session advances, as business increases, it is in the power of the House to apply the remedy that is wanted by meeting earlier. I do not know whether my noble Friend will ask for a more decided opinion by the House, or whether he will be satisfied with the debate—leaving those who have the management of Public Business to consider whether the rules may be relaxed without inconvenience to the public service; but I think it would not be wise, without further consideration, to disturb the ordinary Business of the House in a way that might be inconvenient.

The Earl of REDESDALE said, that according to these statistics, the House was rarely inconvenienced for want of time. The dinner hour could be, and often was, sacrificed when any business was before the House, and he did not think the proposed change either necessary or desirable. Now and then, perhaps two or three times in the year, some little advantage might be gained; but on all other days the change would cause inconvenience. The rule need not be altered; but it was quite competent to the House, on special occasions, if it thought fit, to change the hour of meeting.

EARL STANHOPE, as one of the younger Members of their Lordships' House, to whom so much allusion had been made in the course of the discussion, appealed to the noble Lord who had brought forward that subject not to press his Motion to a division. After what had been said by the noble and learned Lord on the Woolsack and also by the noble Earl the Chairman of Committees, he thought that the pressure of business did not warrant the necessity of the change. When the Business of the Session increased it would be competent for noble Lords, as the Prime Minister had pointed out, to suggest that the House should be called together at an earlier hour than 5 o'clock.

THE EARL OF MORLEY said, he hoped the noble Lord would give them an opportunity of dividing on the question. It seemed to him that an important point had been kept out of sight. The noble Earl the Prime Minister had truly remarked that their time of meeting need not be as fixed as the laws of the Medes and Persians, and that it might be altered on Notice being given when any very important matter was to be brought forward. But it should be observed that there was an intermediate class of questions which came before their Lordships, and which, although they might not be of exciting public interest, were still of considerable administrative or other importance, and in regard to those questions it would be impossible to give any such previous Notice as had been suggested. The matter now at issue, therefore, was not merely one affecting young Peers, but whether questions which might not lead to important discussions or arouse a great deal of Party or political interest out-of-doors should receive adequate and suitable discussion in that House. Sometimes, when Bills were in Committee and the ominous hour of which they had heard was approaching, even the noble Earl who so ably presided was tempted to be a little impatient to arrive at the end of the clauses and get away to dinner. He trusted that the noble Lord (Viscount Midleton) who had made that Motion would give them an opportunity of dividing.

LORD DENMAN, having heard the adjournment of the House when it was moved, might, he thought, say a few words. He thought it unseemly that the time of refreshment should be mentioned, as an obstacle to business, for it was uncertain; in Germany the word for dinner was *mittag's essen*—mid-day meal—and the late Earl of Ellenborough often dined before he came to the House. He thought if the House were to meet at 4, that the disgrace of an adjournment at half-past 4 might be incurred. He held that it was desirable that every subject which came before their Lordships should be thoroughly discussed, and he had often heard debates so complete that nothing could be added to them; and wished that every noble Lord who intended to speak should remain to hear the whole of the debate before his own speech. If that were done the speeches might be more brief, and noble Lords would not be so likely to repeat what others had said before, and be able to answer weighty arguments. The House met at 11 o'clock for business. He thought if the House met at 4, that the usual course of debate should be followed, but he did not wish much to multiply speakers; and, if the hour were changed, he would not trouble their Lordships more often than he did at present.

THE EARL OF ROSEBERY thought the question one of very great importance. He admitted that it was a strong argument against the Motion that the time of the noble and learned Lord on the Woolsack was already so greatly absorbed. The wonder was how the noble and learned Lord was able at all to perform so many different functions. And that might be taken as one illustration out of many of the inconvenience of having a man acting at the same time as a Minister, as a Judge, and as the Speaker of a Legislative Assembly. The remedy, however, for that, in his opinion, would be the appointment of another Deputy Speaker. It surely would not be difficult to select from among their Lordships some third Peer qualified to discharge that important office, in addition to the noble and learned Lord on the Woolsack and the noble Earl the Chairman of Committees. The Prime Minister had spoken with admirable humour against the present Motion, and had said with great truth that the Galleries of the House had been crammed on certain occasions. But he had omitted to state that the reason why they had been crammed was because of the presence in the House of the noble Earl at the head of the Government himself. The suggestion that they might vary the hour of meeting according to the importance of the Business to be transacted was an impracticable one. How would it be possible for a private Peer who wished to bring forward a Motion to rise in his place and say—"I think my Motion is of some importance; let us meet at 4 o'clock to-morrow instead of 5 to consider it?" That would be stamped by their Lordships, and properly, as impertinent humbug. If, however, the present proposal were adopted, the House would have 50 per cent more time for discussion.

Viscount MIDLETON said, his object was not in any way to embarrass Her Majesty's Government, but to assert what he felt to be a great and important principle. He very much regretted the decision at which the Government had arrived; but after the very strong expressions of opinion which had fallen from the noble and learned Lord on the Woolsack and from the Prime Minister, and after the appeal which had been made to him, he did not think it right—even though he might be able to snatch a victory—to put their Lordships to the trouble of a division. He therefore begged leave to withdraw his Motion.

The Earl of ROSEBERY hoped the House would not allow the Motion to be withdrawn.

The LORD CHANCELLOR observed that a number of Peers had left the House supposing that permission had been given to withdraw the Motion.

Earl GRANVILLE, in those circumstances, had no wish to force a division.

Motion (by leave of the House) *withdrawn.*

House adjourned at Seven o'clock,
till To-morrow, a quarter
before Five o'clock.

HOUSE OF COMMONS,

Monday, 4th March, 1878.

MINUTES.]—New Writ Issued—*For* Cirencester, *v.* Allen Alexander Bathurst, esquire, called up to the House of Peers.

New Member Sworn—Alfred Erskine Hardy, esquire, *for* Canterbury.

Supply—*considered in Committee*—Army Estimates.

Public Bills — *Resolution in Committee — Ordered—First Reading*—Interments in Churchyards* [123].

Ordered — First Reading — Valuation of Lands (Scotland) Amendment* [124].

Second Reading—Referred to Select Committee—Weights and Measures* [111].

Committee — Report — (£1,000,000) Exchequer Bonds* [121]; Public Baths and Washhouses* [37].

QUESTIONS.

POOR LAW—NORTH SURREY DISTRICT SCHOOL—DETENTION OF A CHILD.

QUESTION.

Mr. REDMOND asked the President of the Local Government Board, Whether any representation has been made to the Local Government Board respecting the case of a Catholic child named Harriet Mary Goen or Going, alleged to be detained by the guardians of St. Luke's Chelsea in the North Surrey District School at Anerley, notwithstanding the protests of the father, who is a Catholic, and who contributes a portion of his pension towards her support; and if so, whether the Local Government Board will order the removal of the child?

Mr. SCLATER-BOOTH: Sir, in answer to the Question of the hon. Gentleman, I have to inform him that I received a complaint from the father of the child on the subject about a month ago, and that last week I received a written application for the removal of the child. On that I shall be disposed to act, but I shall wait a few days to see if the Guardians themselves take action in the matter.

COUNTY GOVERNMENT BILL.

QUESTION.

Lord RANDOLPH CHURCHILL asked Mr. Chancellor of the Exchequer, Whether, in consideration of the fact that the county magistrates have as yet had no opportunity of expressing their views as a body on the County Government Bill, he will consent to postpone taking the next stage of that measure until after the next Easter Quarter Sessions?

The CHANCELLOR of the EXCHEQUER: Sir, I am afraid it would be rather inconvenient to postpone the Order for proceeding with the measure; but I trust the magistrates will have had plenty of opportunities of considering it before Easter, and of forwarding their opinions to their Representatives in Parliament.

METROPOLITAN COMMONS ACT, 1866—EELBROOK COMMON, FULHAM.

QUESTION.

Sir CHARLES W. DILKE asked the honourable Member for Truro, If it was true that since the Metropolitan Board of Works initiated a scheme under the provisions of "The Metropolitan Commons Act, 1866," for the management of Eelbrook Common and Parsons Green, in the parish of Fulham, more than two acres of the former common have been inclosed; and if so, whether he can state by what authority and under what circumstances the inclosure has been made, and what steps the Board proposed to take to secure the land inclosed to the public?

Sir JAMES M'GAREL-HOGG: Sir, in answer to the question of my hon. Friend, I regret to say it is quite true that since the Metropolitan Board of Works initiated the scheme referred to, and while the memorial for that scheme was under consideration by an assistant Inclosure Commissioner, the Ecclesiastical Commissioners, as lords of the manor of Fulham, and the Homage Jury, claiming under an alleged right by custom, have sold or agreed to sell, without any previous intimation to the Commissioner or to the Metropolitan Board, about two acres of land or waste of Eelbrook Common to an adjoining owner for, it is believed, the sum of £3,000; £2,000 of which, it is stated, is to go to the Ecclesiastical Commissioners, £500 to the parish of Fulham, and £500 to the parish of Hammersmith. The proceedings under the memorial for the scheme are still pending, and the attention of the Commissioner has been earnestly directed to the inclosure so made, and the Metropolitan Board will, I feel sure, take every step which may be possible to secure the land to the public under the scheme; for, no doubt, to the extent of the land so inclosed, whatever rights of recreation or other rights exist, they would be annihilated. I should perhaps add, as showing the somewhat hasty way in which the attempt to inclose has been carried out, that a certain right of way over the piece in question has or will be practically stopped up by the lords and Homage Jury as the result of the proposed sale and inclosure.

ARMY—DEFENCES OF THE HUMBER.

QUESTION.

Mr. NORWOOD asked the Secretary of State for War, Whether steps are being taken to arm the batteries on the Humber with heavy guns of approved modern pattern?

Mr. GATHORNE HARDY: Sir, I am sorry to say we are not in a position to arm these batteries with heavy guns at present, but the protection of the Humber and of other commercial ports is being considered carefully at the present time.

THE DANUBE COMMISSION.

QUESTION.

Sir ALEXANDER GORDON asked the Under Secretary of State for Foreign Affairs, Whether he will lay upon the Table of the House, Copy of any Report of the operations of the International Commission appointed under the Treaties of 1856 and 1871, for the improvement of the navigation of the mouths of the Danube, which may have been received at the Foreign Office since the receipt of Lieutenant Colonel Stokes' Report which was presented to Parliament in 1872?

Mr. BOURKE: Sir, in reply to my hon. and gallant Friend, I have to state that there is no Report in the Foreign Office similar to the Report which was made in 1872 by Colonel Stokes on the subject of the Danube Commission. There are despatches on the subject, and I have looked at them, but I do not think they would give the information he requires. I may tell my hon. and gallant Friend, however, that it is intended to obtain a Report on the subject from Colonel Stokes, and that Report will be laid before Parliament.

LOANS FOR ROADS AND BRIDGES.

QUESTION.

GENERAL SIR **GEORGE BALFOUR** asked Mr. Chancellor of the Exchequer, If he will cause the Records of the Treasury, and of the Commissioners of Loans and of Public Works, to be searched as to grants and loans of money made through a long course of years for roads and bridges, for roads, or for bridges, in the several divisions of the Kingdom, and inform the House as to the several sums, and as to the repayment of the money lent on loan?

COLONEL **STANLEY**: Sir, a considerable amount of information required by my hon. and gallant Friend, with reference to roads and bridges, is already before Parliament in sundry Returns, more especially Return 147 of 1872, and 145 of 1875, and also in last year's accounts. If these do not—and I understand they do not—furnish the informa- which the hon. and gallant Gentleman desires, if he will be good enough to confer with me, I will endeavour to obtain what he requires.

THE EASTERN QUESTION — RUSSIA AND TURKEY—THE TREATY OF PEACE.

QUESTIONS.

THE MARQUESS OF **HARTINGTON**: I wish to ask the right hon. Gentleman the Chancellor of the Exchequer, Whether the Government have received information that a Treaty of Peace between Turkey and Russia has been signed?

THE **CHANCELLOR** OF THE **EXCHEQUER**: Yes, Sir, the Government have received information, in the course of this afternoon, both from our Ambassador at St. Petersburg and from our Ambassador at Constantinople, that the Treaty of Peace was signed yesterday afternoon.

SIR **WILLIAM FRASER**: Can the right hon. Gentleman inform the House what are the conditions of peace?

THE **CHANCELLOR** OF THE **EXCHEQUER**: No. The Government have received some communications, but they are not in a sufficiently perfect state to be presented to the House at present.

MOTIONS.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ARMY—THE AUXILIARY FORCES—ADJUTANTS OF VOLUNTEERS.

RESOLUTION.

MR. **KNIGHT**, in rising to move—

> "That the consideration of the rank and retiring allowances of Adjutants of Volunteers be referred to a Select Committee,"

said, the Volunteers were formed in 1859, and he was one of their earliest lieutenant-colonels. In that year a War Office Circular was issued authorizing the appointment of adjutants to corps of four companies or 300 men, and a large number of adjutants were appointed. The duties which they had to discharge were arduous and almost incessant. Their pay at first was 8*s.* a-day, or £146 a-year, without any allowances whatever. All the adjutants appointed in the years 1859, 1860, and 1861, really served without any pay at all. Allowances, however, to the amount of £138 odd, had since been given for a horse, a house, travelling expenses, and a servant; and deducting this sum from the £146 pay, which alone they received at first, there remained only between £7 and £8 a-year for the adjutants to live upon. These gentlemen were many of them captains in the Army on full-pay before joining the Volunteers; many of them had served more than 30 years in all climates in the world, and had been wounded. The allowances had been given by fits and starts, sometimes going up, sometimes going down; until at last his right hon. Friend the Secretary of State for War, very much to the satisfaction of the gentlemen concerned and the public, had given them full-pay and allowances as captains in the Army. He did not think that this rise could be depended on. When these gentlemen entered the

Volunteers they had the Queen's Commission of adjutant with the rank of captain, and he had always thought it hard that when ordered to serve as captains they should not receive captain's pay and allowances. Many of these gentlemen had served 18 and 19 years in the Volunteers in the rank of captains, and had been doing five times the work of captains of Militia, because they worked 10 months in the year. Having mewed these old officers up in our service; now that there had been a general rise in the retiring allowances of every rank in the Army, departmental and other, it was rather hard that they should have no rise in their retiring allowances. These allowances were 3*s*., 4*s*., 5*s*., and 6*s*. for 15 and 20 years' service. He had traced the matter back as far as 1829, and he had been told it had been traced back as far as 1820, and in that year he believed the allowances were not new. Some time after the Battle of Waterloo, when the country was flooded with retired officers, these allowances were given in addition to half-pay, and then they were fair allowances; but without half-pay, they would be starvation allowances. In 1862 there was a Royal Commission, before which he had the honour of giving evidence, to the effect that there was no use in giving the Volunteers old officers living comfortably in the country; what they wanted was Army men; that there were a thousand things occurring every day in the management of a regiment which must be learnt from those who had filled the post of adjutant and knew the business *ab initio*. These gentlemen ought to be treated as if the whole of their service was Army service, and have pensions accordingly. Three, four, or five shillings a-day was not sufficient for a gentleman to live upon who had spent his life in the service of his country. What he asked for was a Committee of the House to consider what had not been brought before the Commission, and if anything could be said in contravention of what he had alleged, let it be stated. The old scale had been raised from 3*s*., 4*s*., 5*s*., and 6*s*., to 7*s*., 8*s*., 9*s*., and 10*s*.; but it was proved, beyond dispute, that that scale was intended originally for half-pay officers, and not as a full compensation for the services of those gentlemen. On page 41 of the Volunteer Regulations, there was the declaration which every adjutant was obliged to make—namely, that he did not hold any office or employment, and was in receipt of nothing except his half-pay. That clearly proved that the scale was intended for half-pay officers. It was true that they had been obliged to sell their commissions; but the money they had received for those commissions was only their own money returned, and the country could not regard it as pay. He hoped the War Office would take the matter in hand in a kindly spirit. The adjutant in his corps had to look after 11½ companies, and he had to drive over 30 miles of country to drill at night time in school-rooms or large offices, and to travel home late at night. He also had to make himself acquainted with the feelings of persons in the various towns, so as to ascertain who would work well together. As a nation we should be proud of our Volunteers, and a very large Reserve had passed through these officers' hands. He only asked that these adjutants should be treated as if they had been serving in the Army, and be allowed the retirement of their rank. The form of his Motion was for a Committee; but he trusted he would be relieved from pressing it by receiving a promise that what he desired should be carried out. The hon. Gentleman concluded by moving his Resolution.

COLONEL MURE begged to second the proposal which the hon. Gentleman the Member for Worcestershire (Mr. Knight) had made. He did not claim it for the adjutants of Volunteers as a matter of right. Last year the Secretary of State for War said these gentlemen had entered upon this employment under certain conditions, and it was right they should comply with them. But the view he (Colonel Mure) took of it depended upon the question what the service of these gentlemen had been, and what the effect of their service was on the condition of the Volunteer Force? It was asked that a certain indulgence should be granted to them, or that an inquiry should be made into a grievance that they suffered from, in order that the Volunteer Force on which so much depended should be put on a better footing. He had received a letter from a gentleman who was formerly adjutant of the regiment he (Colonel Mure) commanded, and who had served upwards of 35 years without a break. His age was

63; he was not incapacitated by old age; but, he said, without retiring allowances, the result must be that men, under such circumstances, would be disposed to take it easy. Putting aside the question of justice to those gentlemen, he (Colonel Mure) looked upon it as a bad thing that an active and ever strengthening Force like the Volunteers should have their drill conducted, in a great number of instances, by men who felt themselves growing too old for their work; but who could not afford to give it up under the present conditions, and were consequently discontented men. He did not know whether they had read the article by Sir Garnet Wolseley in *The Nineteenth Century*. It showed the military condition of Great Britian; and, in speaking of the Volunteers, Sir Garnet said there was no body of men to whom this country owed so much. They had spread, he remarked, not a spirit of "militarism" such as existed abroad, and was one of the reasons why foreign nations were armed to the teeth; but a wholesome military spirit, of which we might soon be able to judge. Sir Garnet Wolseley went farther, and said that the Army owed much to the investigations which civilians had made in military matters. To the noble Lord the Member for Haddington they owed the fact of five or six inches being added to the bayonet, and the Moncrieff gun-carriage was one of the greatest inventions of the day. In expressing the hope that the claim would be favourably considered, he admitted that it was not made as a matter of right; but still it was a matter affecting the welfare of a branch of the Service which had contributed to the efficiency of the whole Army.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the consideration of the rank and retiring allowances of Adjutants of Volunteers be referred to a Select Committee,"—(*Mr. Knight,*) —instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR WALTER B. BARTTELOT said, he brought the matter forward last year, when the Secretary of State admitted that the conditions imposed upon Volunteer adjutants as to retiring allowances were somewhat hard, considering the long service of some of them, and undertook that the subject should be carefully considered. The requests made were these—A certain retiring allowance was offered in 1875 to the old adjutants of Militia if they retired before a certain date, and the old adjutants of Volunteers asked that the same retiring allowance might be offered to them on the same conditions. The second point—the concession of which would cost the country nothing—was that they should have the rank of major granted to them on the same conditions as adjutants of Militia.

MR. A. H. BROWN said, he could not but think that Volunteer regiments would be more serviceable, efficient, and better drilled if a great many of the adjutants who were now getting well up in years received a proper sum on which they could retire. The proposal to place Volunteer adjutants on the same footing as Militia adjutants, was one which, if adopted, would not burden the public Exchequer to a very great extent.

MR. GATHORNE HARDY said, he could not allow the debate to go on without putting hon. Members in possession of the facts. The speech of the hon. Member for Worcestershire (Mr. Knight) was calculated to convey the impression that the Government had seized upon certain officers of the Army, and had compelled them to become adjutants with very bad pay, and without allowing them the means of retirement unless they were incapacitated by age and infirmity. Now, it had been admitted by the hon. and gallant Member for Renfrewshire (Colonel Mure) that it was only as an indulgence that this concession could be asked. But those officers began with 8*s*. a-day; they had allowances added, and other advantages given to them, until they now received the pay of a captain while they served; so that, so far as service went, nothing could be said on the score of pay. Last year, when the hon. and gallant Member for Sussex (Sir Walter B. Barttelot) brought this question forward, he (Mr. Gathorne Hardy) had undertaken to look into the subject, and he had done so. He was now prepared—indeed, the Warrant for the purpose was on the eve of issue—to take away the condition of age and infirmity, and render the Volunteer adjutants capable of taking a pension after

15 years' service in the Army, and a similar number of years' service in the Volunteers. They would thus be enabled to retire, not, he was bound to say, upon an increased pension, but upon what was the half-pay of a captain in the Army. With respect to the retirement of Militia adjutants, the bargain made with them was a profitable one for the Treasury. The Government undertook to replace them by officers on half-pay, and half-pay was, therefore, at once saved. By this course the Government had been enabled to effect a saving of from £14,000 to £19,000 a-year. In the present case, however, Government could not adopt the same course, and it would, therefore, be a great loss to the country to give these adjutants what they never had stipulated for, that which it was admitted that they had no real claim to, and that which could only be given to them as an indulgence. It had also been asked that there should be some concession on the point of rank, and he was prepared to propose that the rank of Volunteer adjutants should date back to the real time at which they received that position. They would thus take their place in the Army according to their real rank, instead of only dating it from February 1874. He hoped the House would consider that this was fulfilling what he had undertaken, with justice to the adjutants, and without making too great demands upon the country. Before sitting down he must say that a Select Committee was a most unfit tribunal to consider a matter of indulgence. If it had been to try some question of injustice which he or some other Member of the Government had been guilty of, it might have been a proper tribunal; but he must resist a Motion to refer to such a body a question of a certain indulgence to be granted to certain gentlemen.

Lord ELCHO expressed satisfaction with the statement of the right hon. Gentleman as far as it went. As one of the officers who had served in the Volunteers since the beginning of the movement, he felt that they owed very much to the adjutants, and wished to say a word on their behalf. It was never desirable that public servants should have what they considered a grievance; and, notwithstanding the concessions that had been made, it seemed to him that these adjutants had still a grievance in the fact that the Militia adjutants, who had only two months' service compared with their 10, should be better paid on retirement than Volunteer adjutants were. He hoped that his right hon. Friend would go a little further in his concessions to these useful officers.

General SHUTE admitted that the Volunteer adjutants had no sort of claim; but the country was under obligations to them for the present state of the Volunteer service. It was to the older adjutants of the force that the country was indebted for moulding what was at one time the roughest possible material into something like order, and it was a mistake to retain discontented servants. He thought that an honorary rank on retirement only prostituted the Profession, and hoped that any recognition on the part of the right hon. Gentleman towards these adjutants of Volunteers would take a more substantial form—namely, that of allowing them to retire on a more liberal scale, on condition that it was accepted before a certain date. The offer of honorary rank of major was simply an excuse for evading a liberal payment. The system, now too frequent, of making officers majors, colonels, or major-generals, as the case might be, when they retired from the Service, and ceased to be soldiers at all, was simply a prostitution of military rank.

Mr. HAYTER said, it would be miserable economy to refuse this concession to the Volunteer adjutants, particularly as the officers in question now numbered only 182. No doubt those men had done excellent service in their time; but, on the other hand, there could be no question that many of them must be too old for their positions. Having received 11*s.* 7*d.* a-day, they would now retire on a guinea a-week after serving 15 years, or on two guineas a-week after serving 30 years. The right hon. Gentleman had said that these officers had no case, but what case had the officers who were given £200 last year for retiring from the Army? The proposal of the Government would leave the Volunteer Force in the hands of the old adjutants, and he thought it a piece of miserable economy which would do gross injustice to the old adjutants, as well as inflict an injury on the regiments.

Colonel MAKINS said, he received with satisfaction the concession which had been made, and he believed the result would be satisfactory. He rose to call attention to the difference which existed between artillery adjutants and adjutants in rifle regiments. The former received 11*s.* a-day and the others 11*s.* 7*d.*, though the duties of the artillery officers were not lighter than those of the officers in the rifle Volunteer regiments.

MR. ANDERSON said, he was very glad to hear that the right hon. Gentleman intended to make some concession, though he thought that concession insufficient to meet the grievance of the old adjutants. He thought no change would be sufficient which did not place the adjutants of Volunteers on the same footing as Militia adjutants. The right hon. Gentleman had told them that they had no case; but he thought they had as much case as the Militia adjutants. He had also told them that they had had frequent increases to their allowances, but it must also be remembered that they had some drawbacks for which they had received no compensation whatever. In 1874 they were gazetted back into the Service without their consent, subjecting them to all kinds of new duties. Surely some allowance ought to be made for that. He did not think it was a good principle to increase the pay of these officers by giving them increased allowances of the nature of the surplus on the stationery allowance; but he thought no change ought to be made in the former recognized allowances which would entail a sacrifice upon them. He read a letter from the War Office, dated 1869, written by direction of Lord Cardwell, when Mr. Cardwell, in which the right hon. Gentleman defined the purposes to which the postage and stationery allowance of £4 per company was to be put; and he added that any balance remaining on hand on the 31st March was not to be carried forward to the next account. He (Mr. Anderson) urged that that letter afforded the clearest possible proof that the War Office intended that any saving on that £4 per company should remain with the adjutants. Seeing that there was a very small number of these adjutants, and that many of them were old men, he hoped the right hon. Gentleman would adopt the suggestion of the hon. and gallant Member, and offer to the adjutants a retiring allowance equal to that of the Militia adjutants, provided they accepted them by a given day.

MR. CHILDERS said, he sympathized with the right hon. Gentleman the Secretary of State in resisting an additional charge on the Estimates, besides, *primâ facie*, there were great objections to sending a question of this sort to a Select Committee. He would venture to suggest, however, whether, when they were going from an imperfect system to a greatly improved system of appointing and retaining for a limited period Volunteer adjutants, it would not be well to conclude the matter at once, and so to arrange the retiring allowances of adjutants as to ensure that all the old adjutants would at once retire. It was quite certain that if they were to have the plan of the Secretary for War, and nothing more, they would not clear the list of a number of adjutants who, in the public interest, should retire as soon as possible. He asked the right hon. Gentleman to re-consider the question from this point of view, and he hoped under the circumstances the Motion would not be pressed to a division.

MR. GATHORNE HARDY said, that he should have some remarks to make on the subject when he came to the Volunteer Vote, and, therefore, he would rather not make any observations at that time.

Question put, and *negatived.*

ARMY PROMOTION AND RETIREMENT —REGIMENTAL RANKS OF THE LINE.—OBSERVATIONS.

MR. O'REILLY, in rising to call the attention of the House to the question of the "organization of the regimental ranks of the Line," as referred to in the Report and Evidence of the Royal Commission on Promotion and Retirement, said, he based his remarks on the passage in the Report of the Royal Commission which suggested that, either by assimilating these ranks to those of the artillery, or creating in some other way a greater similarity in the numbers of the ranks, the necessity for any compulsory retirement in the lower ranks might be removed. He thought that statement justified the importance of the matter, and he need scarcely remind the House that the period of the Session at which the Secretary for War found himself in a position to lay before the House the proposals of the Government in connection with that Commission was so late that it was impossible to raise the question last year. The words, too, of the Commission sufficiently expressed the importance of the matter, when they said—

> "It may be possible to benefit at once the position of the officer, to improve the organization, and to effect that which would render it less costly to the State."

This proposal had met with a good deal of prejudice, because it was thought that it would strike at the regimental organization of the Army; but he denied that it would have that effect. No proposal would ever be made by him that would in any way tend to interfere with the regimental organization, which he regarded as being most valuable; but, on the contrary, he believed that this proposal would increase, strengthen, and develop it. The two principal units in the Army were what were called in the Infantry the battalion and the company. The exigencies of modern warfare, however, having rendered the unit of the company too small, the present formation of attack was two companies skirmishing, two in support, and two in reserve. In other words, a double unit had been adopted, the result of which was greatly to increase the danger of confusion in the field; and the question arose whether the company should not be made double its present size, under an increased number of officers. Lord Sandhurst, Lord Strathnairn, Sir John Adye, General Herbert, and other distinguished officers, had expressed themselves in favour of this proposal. Some other officers of distinction had opposed the scheme; but few of the objections appeared to him to strike at the root of the proposal. It must be clear to all that the proposal was not answered by discussing the question of whether the officers to be placed in command should have the rank of field officers or not. In the first place, it had been said that the companies would be too large and unwieldy. There was some difference of opinion as to whether a company should, like those of the Prussian Army, consist of 250, or whether they should consist of 170 or 180. That, however, was a practical question of detail, which might be left to be dealt with by the authorities. The second objection was that the proposal, if carried out, would diminish the number of regimental officers. Now, he did not wish to see the number diminished, because we spent our officers more freely than any other Army. The success of the Army greatly depended on the leading on the part of the officers. In reality, whilst it would diminish the number of regimental officers, it would not diminish but would practically increase the number of company officers. What would be the effect in a campaign or an action? What we required was to have sufficient officers to lead bodies of men, and to be sure that they would not all be struck down. The great thing was that the men should be led by those whom they knew. Now, the number of officers with each enlarged company being increased, greatly lessened the chance of all the officers of a company being disabled at the same time. The objection urged to the change by the Duke of Cambridge was that it would tend to the creation of new majors; but a major was to be in reality a company's officer, doing the duty of a captain. The illustrious Duke had said—"I object to more majors—that is, to more field officers. I have no objection to captains being mounted, but they are not field officers, they are captains." He, however, did not see any great force in that objection. The third objection was that it would take officers from the Cavalry. But it was only intended to let the troop commander command his troop in quarters as in the field. It was said that it had been tried in the Cavalry, and given up. It had been tried at the time of the purchase system, and found to affect the value of the commissions held by the junior captains. So far, he had spoken of organization simply with regard to the efficiency of the Army; but the changes advocated would, undoubtedly, not only be productive of economy, but improve the position of the officer, and so far from diminishing the efficiency of the Army, would increase that efficiency. And that was one of the points raised by Sir Garnet Wolseley in the able paper which he had recently published, in which he said that the Army was now the greatest and most important of our national schools, in which, in future, the officers would be the schoolmasters. The days, in fact, of special instruction were numbered; and it was one of the main turning-points of the proposals of the appendix that the heads of the Army should make the company officers responsible for the instruction of their companies. The proposal had also a serious bearing on the difficulty of getting and retaining good non-commissioned officers—a difficulty which was increasing every day. Under the proposed system, it would be easier to ensure the presence of at least some good old non-commissioned officers in each company. The proposal of having larger companies had been recommended by some of the most competent officers, and had not yet been sufficiently considered. The Royal Commission considered it outside the scope of their duties to report on it; but he thought it would greatly tend, not only to efficiency, but also to economy.

Colonel MURE asked if this was a question which the House of Commons could decide? He did not think it was. It would have been a different thing if his hon. and gallant Friend had based his argument solely on the ground of economy, and had suggested that the subject ought to be considered by a Departmental Committee. Not very long ago a discussion was raised on the pay of the adjutants, when his right hon. Friend the Secretary for War said the question was hardly a fit one to be considered by the House of Commons. If so, how much less was this question as to the size of a company and the manner of attack a question for the House of Commons. There was, he believed, danger in the House of Commons attempting to decide questions of this kind. He only rose to deprecate the consideration of matters so entirely technical by the House of Commons. It not only led to waste of time, but might be dangerous.

General SHUTE agreed with his hon. and gallant Friend who had just spoken that that House was a body ill-suited to pronounce a decision on military organization and tactics.

Mr. CAMPBELL-BANNERMAN said, he could not altogether agree with the criticisms of the last two speakers; because his hon. and gallant Friend the Member for Longford (Mr. O'Reilly) did not ask the House to pronounce a decision, but merely took this opportunity of urging upon the Secretary of State the importance of the question. The question raised by the hon. and gallant Member had been mentioned as of great importance in the Report of the Royal Commission on Promotion in the Army, and the views of his hon. Friend had been advocated before that Commission by several weighty authorities, and certainly deserved their consideration. When he said this he must guard himself against being supposed for a moment to contemplate an organization made with a view to a system of retirement and the regular flow of promotion. The first object ought to be the efficiency of the Force as a military machine, and when they came to deal with that they found great diversity of opinion on the subject. A great deal was said about the size of the company as the unit of organization last year when the Government scheme of promotion and retirement was under consideration. He was unable to attend the sittings of the House at that time; but, if he had been present, he should have joined with those who expressed surprise that the Government should ask the House to incur a large annual charge without first making it certain that the organization we possessed was the most efficient and the most economical. The hon. and gallant Member had expressed his views, and he did not suppose that the right hon. Gentleman would either repudiate or acquiesce in them altogether, because there were so many different opinions that it was difficult to say what course should be pursued. The right hon. Gentleman might, however, well turn his attention to the question. It was with the object of urging the importance of the subject that the hon. and gallant Member had brought the matter forward; and, without expressing any opinion himself, he could not help rising to say that he thought the hon. and gallant Member had discharged a duty to his country and the House in bringing this matter forward, and certainly did not deserve the remarks that had been made upon him.

General Sir GEORGE BALFOUR pointed out that the right of that House to raise the question of the organization and strength of a company of Infantry was by no means a new one. It was debated in that House in May, 1854 long after war had been declared against Russia. He maintained that to put forward the claim that the War Office was to be independent of the House of

Commons in regard to the organization, composition, and strength of the units of the Infantry or Cavalry, was to take from that House the power it ought to exercise over the expenditure of the country. Not only was the war strength of the Infantry company agreed to in that House in 1854, but the number of companies forming the field battalion was also fixed. Since then the organization of the Cavalry unit into squadrons was also agreed to in that House. It was Sir John Pakington who had made this change. It was in his administration that a different organization was made for the Cavalry, and he protested against the squadron organization being changed back again into the troop organization, when his Successor (Lord Cardwell) was induced to assent to the retrograde step of having the troop formation reverted to. They all knew how that was done. It was done by His Royal Highness the Commander-in-Chief, who had never taken kindly to the change which had been made by Sir John Pakington. The real author of the proposed formation of the squadron unit for administrative purposes, as it was, and still is, for tactical purposes, was Sir Hope Grant, who, in this kind of change, was peculiarly qualified to advise. He thought that his hon. and gallant Friend had done good service by bringing forward his Motion. As to the units composing the battalion, there was a great opening in this direction for effecting useful changes in our present organization. England alone maintained the wasteful and weak unit of 10 companies to a battalion. There need not be so many men in a company as 196, which was the strength of a German Infantry company of private soldiers; but between that strength and 65 privates, the average of all our companies, there was ample room for an increase to 150 privates in a company of Infantry. He considered that they had a right to ask, seeing the feeling there was on the subject, that the question should be properly investigated by a Committee, who would go thoroughly into the organization, and who should say not only what the organization of a company should be, but what the organization of a battalion should be, and still more, what should be done to make it an effective unit of organization for brigades and divisions.

Major O'BEIRNE said, he rose to call attention to the formation and organization of brigade depôts, and to the practice of appointing officers who had served exclusively in the Cavalry to the command of Infantry brigades. When these brigade depôts were first formed in 1873, out of 70 there remained 33 unformed, and to these were appointed commanding officers having £576 a-year with no duties of any kind to perform. The matter caused a good deal of scandal in the Army, as it appeared that these appointments were only sinecures for officers for whom no other employment could be found. Then there was a paymaster for the brigade depôts with £270 a-year, which was an unnecessary and superfluous appointment. The brigade depôts were a total failure. At the present time the depôts were greatly over-officered, there being 1 colonel, 1 major, 4 captains, and 4 subalterns to command a force of 50 men, and there were still 15 brigade depôts which were unformed. The object of having brigade depôts was to have a battalion there which should consist of 700 men to aid in drilling and exercising the Auxiliary Forces; but how were they to achieve that object with only 40 or 50 men in a battalion? If it should be necessary to call out the Militia and the Volunteers, each of these depôts would be raised to a strength of 3,000 men, and an officer who was completely ignorant of Infantry drill was placed in command. He considered that such appointments would bring the Army into discredit and ridicule. Were none of the colonels of Infantry who had lately been placed on half-pay through no fault of theirs fit for such appointments?

Major NOLAN said, he must protest against the idea that technical questions of that nature should not be discussed in that House. The hon. and gallant Member for Brighton (General Shute) and the hon. and gallant Member for Renfrewshire (Colonel Mure), who had laid down that rule, had both infringed it themselves in speeches where practical utility proved that the rule was not a sound one. Any military question that was sufficiently large should be brought under the attention of Parliament. In France, these and similar questions underwent the fullest discussion, which extended over days, and even weeks, instead of only a few hours; and, it was, in fact, the turning-point of the Prussian system. With reference to the question he had to bring forward—the promotion of non-commissioned officers and men of the Royal Artillery, it was formerly considered that they should be shut out from getting commissions, but after the Crimean War a change was made in their favour. There were special reasons why artillerymen should be promoted, quite as much as the Line and Cavalry. It was of great importance that men should be able skilfully to move heavy guns; a great many non-commissioned officers could do that service, and those who could do it well, besides those who carefully kept the accounts of stores, should have some hopes of promotion. The number of commissions open to non-commissioned officers had been considerably reduced. At least two-thirds of them were formerly given to men promoted from the ranks. Five or six years ago 42 were practically abolished. Lately there had been a re-organization; but it had borne very hardly on the future prospects of non-commissioned officers and men, and he brought forward the subject chiefly that he might get an assurance that the reduction would not be carried further. Six quartermasters and one riding-master had been reduced. Four had been lost by re-organization. There were also 12 quartermasters and nine riding-masters placed on the district staff of India which were in a precarious position. So that altogether about 40 per cent of these commissions had already been suppressed, while the possible losses, in connection with the Indian staff might bring the number up to more than 50 per cent. He trusted that the matter would receive consideration, as it must be a great inducement to those non-commissioned officers and men to know that a certain number of commissions were always open to them as prizes for good service.

Sir **HENRY WILMOT** said, he wished to protest against the extraordinary observations of the hon. and gallant Member opposite (Major O'Beirne), in regard to the qualifications of officers in that branch of the Service to which he belonged. He (Sir Henry Wilmot) had the honour of serving under one of those officers whose qualifications were called in question, and he could only say that he had much benefited by the advice and supervision of that gallant officer. He thought that those objections came with very bad grace at this time, when they had just learned that a distinguished Cavalry officer, Baker Pasha, with a very small force composed of the three branches of the service, had defeated an enemy ten times as numerous.

ARMY—ENLISTMENT FOR INDIA.

OBSERVATIONS.

Sir **GEORGE CAMPBELL** said, he had placed a Notice on the Paper of his intention to call attention to the great difficulties resulting from the attempt to supply both the Reserves in this Country and the Military Service in India by a uniform system of enlistment for six years; and to move—

> "That the necessities of home defence and foreign service in this Empire require that there should be both a short service enlistment with a view to passing rapidly into the Reserve, without liability to service in India except in case of extreme urgency, and a long-service enlistment to supply seasoned and experienced soldiers for Indian service."

He asked the Secretary for War what provision he proposed to make for the Service of India? He had frequently asked the same Question, and always got the same answer—namely, that no decision had been come to, or that the subject was under consideration, or that communications were going on about it. In fact, it was evident that nothing had been done, and it certainly appeared to him that India was not being fairly treated in the matter. When Lord Cardwell introduced his short-service system, in imitation of the system which had been so successful on the Continent, it was evident that there was one great difficulty in the Army—that whereas Continental Armies had only home service to provide for, we in England had to provide for a great Indian and foreign service. This undoubtedly was a great difficulty; yet they had proceeded to adopt the system without having faced and provided for the difficulty. In this matter the Government seemed to have been acting on the maxim of *beati possidentes,* of which they had heard so much of late. He hoped that the right hon. Gentleman would be prepared to say that the whole question was now in a fair way of settlement, because unless it was settled great injustice would continue to be done to our Dominion in

India. He should like to ask his right hon. Friend to consider quietly and fairly what was the effect on India of the system of six years' service. Under the old system of enlisting soldiers for 12 years the average service in India was six years. What would it be under the new arrangements? It was part of the bargain with the Indian Government, for which a very heavy sum was paid, that a soldier should not be sent out immediately on enlistment or until after he had been drilled and made a capable soldier. With this drill, and with the time lost from the fact that immature boys were often enlisted who could not be sent out until they were 20, with the passage out and marching to their station, the men would have served nearer two years than one when they were finally settled. Then a proportion of the men would be comparatively old soldiers, men of three, four, and five years' service, who would soon be going home, and therefore the time of service remaining might be fairly calculated at three years on an average. A further reduction must be made for men who died, were invalided, or whose constitutions were unfitted for India; and therefore he thought they might take it that two and a-half years' service was the utmost they could count on as the average service in India, under this enlistment. Every military man who had studied the subject knew very well that in the first year or two of service in India there was a great deal of sickness, and that men for some time were not accustomed to the climate, the manners, customs, and ways of the country and the people. It was not merely that men must be drilled, they must be seasoned to the climate and ready for the arduous campaigns to which men on service in India were exposed. But by this short-service system, just as men were fitted and seasoned for their work they came home, and therefore he thought a long-service system must be substituted if great injustice was not to be done. Besides, the system of short-service entailed great expense upon the Indian Government for transport which might very well be saved. The right hon. Gentleman the Secretary of State for War intimated the other night that after the men had served their six years many of them were to be "taken on" for a further period; but that taking on was only to be obtained by volunteering, and he did not think the Government should trust to volunteering alone for a supply of efficient troops for India. It would be dangerous to wait until a time of emergency arrived; and it must be remembered that at the time of the Mutiny there was a serious strike, and the men refused the terms offered to them by the Indian Government. It was not, therefore, either safe, right, prudent, or fair to India to wait until the completion of the six years' service before recruiting for long service; but they ought to enlist at an earlier period a number of men sufficient for the service of India by giving them inducements sufficient to cause them to enlist for long-service. His own opinion was that not only upon Indian, but upon English grounds also, the men ought to be enlisted altogether for long-service or for really short-service. The present system was that they did not allow old seasoned soldiers to stay in India, but brought them home to serve in the Reserves. That plan was altogether fallacious and did not enable them to get the proper men for the Reserves. The class of men who went to India were not a class who were likely to return to civil life in England. Nothing so much spoilt a man for civil employment in England as soldiering in India; because in that country he was waited upon at every hand's-turn by Indian servants, and was consequently quite demoralized and rendered unfit for energetic work in this country on his return. It was said that we had adopted short-service in this country in imitation of the Continental system. But the Continental system was to pass the population through the Army. By that means they were able to maintain the Army at a moderate cost and to secure a large trained Reserve whenever it was wanted. Our system was just the contrary. We were maintaining a comparatively large Army while our Reserves were very small. He doubted very much whether the Government would ever get 50,000 men for the Reserves; and a single Army Corps would certainly not be adequate to our requirements, nor would it be following out the Continental system. It was said that we had an Army of 400,000 men. Half of them were Volunteers, and half of the remainder were the Militia—excellent men in their way, who would fight very well in defence of their hearths and homes; but who were neither seasoned nor efficient soldiers, fit to take the field against a substantial Army without far greater experience and training. Gallant as these men were, he was afraid we should have to go through great disasters before they would be fit to face one of the Continental Armies. There were in this country two classes of men who could be obtained as soldiers—men who disliked hard work, or civil work, but who were willing to become professional soldiers and to go to India; and men who did not wish to abandon civil life, but who were ready to take a good retaining fee and submit to the training necessary to make them soldiers and to render them available for the defence of the country. If they were to make the Indian Army efficient and the English Reserves efficient they must not attempt to keep up a uniform system of enlistment. Soldiering was a trade, which once learnt, a man never forgot, and, therefore, our aim should be to enlist a large proportion of the population for short-service, without any obligation to go to India, and so permit them to return to their civil avocations, for which they would then be well fitted. For the Indian Service, on the contrary, we should enlist men for long-service, say for 12 years, and should encourage them to volunteer to re-enlist for a further period at the end of that term. The plan he would suggest for adoption was this—First, to encourage the population by every means in their power to learn something of military drill. He would introduce drill into all their schools, and he would give every facility and encouragement to volunteering. He would further permit all soldiers to enlist for short-service—to serve only till they were efficient soldiers—without the obligation of going to India, and would require them on the expiration of their term of service to enter the Militia or the Volunteers, so as to leaven those Forces and give them a real military character. Next, he would suggest that after a year's trial terms should be offered adequate to induce a sufficient number of short-service men to enlist for long-service, with the liability and probability of being sent to India. Lastly, there should be a system of volunteering by which they might enable such men to continue service in India as chose to do so. Although he fully admitted that six, eight, or 10 years' service in India were enough for an average soldier, yet a considerable portion of the men who went to India became toughened and fit to serve for 15, 20, or even 30 years. He was unable by the Forms of the House to move his Resolution, but he hoped the Government would take into consideration the suggestions he had thrown out.

Mr. GATHORNE HARDY said, he made no complaint as to the different subjects which had been brought forward on the Motion for going into Committee of Supply, though it was somewhat of a disadvantage, when he would have to discuss these questions more or less on the Estimates, to be obliged to deal with them partially and disjointedly at the present stage. In regard to the speech to which the House had last listened, he had no desire to throw any imputation upon the universal knowledge of the hon. Member for Kirkcaldy (Sir George Campbell) on matters connected with India; but he must say that the hon. Member had misunderstood what had fallen from him (Mr. Gathorne Hardy) on a former occasion, in reference to the question of volunteering for service in India. Notwithstanding what had been said, he must declare, without hesitation, that volunteers for further service could be obtained in our great Eastern Dependency, where the service was most popular. A sufficient number of men could not, as he stated, be got to enlist for 12 years; but there was no difficulty in getting men to volunteer for a second six years' service, at the termination of their first six years. Men knew perfectly well what 12 years meant, and what six years meant. There was no doubt that service in India would always continue to be very popular; and he had, therefore, proposed, alike in the interests of India and of England, that the six years' system should be adopted. The hon. Member for Kirkcaldy had tried to persuade them that the average service of men who went out to India was only two and a-half years; but those who had carefully inquired into the subject found that the average was nearly as long as before. It had been found disadvantageous on many grounds to keep men in India for long periods—eight years on the average, being the length of time during which they could serve there and maintain their health and fitness for service. He was speaking of the average run of men, and not of the exceptionally strong and efficient soldiers whom it was found advantageous to retain in the service of the country as non-commissioned officers. Now, under the proposal that volunteers should be taken in India, they would in no case have a shorter service than five years, whilst, in some cases, it would be as long as eight years. He thought that a very liberal proposal, because to some extent it did interfere with the Reserves. While he looked at India, and considered the responsibilities which this country had taken upon herself in reference to it, he could not forget that there was an England, and that there were Colonies and great Dependencies which required soldiers just as much as India did. They sent their trained levies to India, and retained at home what had been called "immature boys"—an epithet which he did not think was deserved. But then there were the Reserves. That was a very great difficulty, but it was not a difficulty of his creating. He had been told that the Reserves would not come up; but he had such confidence in the honour and good faith of Englishmen that he believed they would, and he was happy to say, that when called upon, they mustered within 2 per cent of the whole number expected to respond to the appeal, and presented an appearance which would have done credit to any Service. This was a highly satisfactory state of things in view of the fact that the men were scattered all over the country, and were, many of them, engaged in occupations which rendered it difficult for them to respond at once to an appeal that they should assemble themselves together. The hon. Member for Kirkcaldy must not shut his eyes to the fact that the adoption of his proposal at home would mean nothing more nor less than conscription—a step for which he did not believe the country was prepared. As far as military training was concerned, it must be known to every hon. Gentlemen that drill formed part of the educational system pursued in almost all the schools in the country, and that when boys had left school, if they still liked a little soldiering, they had no difficulty in continuing their military training by joining the local Volunteer corps. But the hon. Member for Kirkcaldy, while proposing a system amounting to conscription at home, wished also that England should pension India as far as its Army was concerned. It would not be possible to take 12 years out of the life of a soldier in India without allowing him to serve on for a pension at the end of that period; and he would ask the hon. Member for Kirkcaldy whether he was prepared, on the part of India, to undertake that responsibility. There were, doubtless, many young men in the Indian Army, and there was also a certain amount of illness among the troops; but there must necessarily be illness among troops during the first years of their service in a climate like that of India, whether the whole period for which they had enlisted was a long or a short one. He could not but object further to the contention of the hon. Member for Kirkcaldy, that men enlisted for service in India ought to remain there until they were unfit for service. They had been made soldiers in England at great expense; and while he admitted that the pressure of the expense bore heavily on India, he must submit, further, that England paid a larger proportion of the expense than she ought to be called upon to pay. He would not go further into that subject, as he did not object to continue paying what we now paid. The hon. Member, in another part of his speech, referred to the "white mutiny;" but this was a mutiny not of the English, but of the East India Company's European troops, brought about to a great extent by the adoption of the principle which the hon. Member seemed so much to admire. To adopt the proposal of the hon. Member would not secure either greater length of service or immunity from illness among the troops, and it certainly would not lessen the expense of the Army to the country. He was, at this moment, engaged in every possible investigation into that subject, because the India Office had its views as well as the War Office; and they were endeavouring to bring the subject to a conclusion satisfactorily to both parties, and he believed they would do so. When he came into office, he found the two Departments corresponding as if they belonged respectively to the Opposition and the Ministry, and they had come to a condition that made it seem almost impossible they should ever arrange fair terms with respect to the Army in

India. He had endeavoured, and in some cases with success, to remove these difficulties. He entirely agreed with the hon. and gallant Member for Galway (Major Nolan), who had spoken on another question as to the character and ability of the non-commissioned officers in the Artillery. It was true that in 1871 a change was made in the mode of selecting adjutants for the Artillery, the Militia, and the Volunteers, and that the officers were said to have suffered loss by the change; but he did not think the loss had been as great as was anticipated. At any rate, it was not necessary then to inquire as to its precise amount. Then the hon. Member said the re-organization of last year had borne hardly upon them also. He thought it would be found this was not so, for though quartermasters had been taken away from some of the Militia Artillery regiments, they were going to be restored, and therefore those places would be again open. But in addition to that, the changes in the Commissariat and Ordnance Staff offered great inducements to the non-commissioned officers of the Artillery to take places for which they were specially qualified. He thought there would be a great deal more promotion than during the six or seven years preceding; and, indeed, looking back at the time since 1871, it would, he believed, be found they were now getting a good deal more promotion than they ever had before. With regard to the hon. and gallant Gentleman the Member for Leitrim (Major O'Beirne), who had called attention to the brigade depôts, he would say at once he did not feel that it was any part of his duty, in the present circumstances of brigade depôts, to say that he thought that they had had a very full trial. They had come into operation gradually, and many were not constituted; and he thought it was open to question whether they had not been considerably over-officered. It was a question which deserved great consideration; but he was not at all wedded to the number of officers, though he thought it best not to begin on a scale very much different from that originally intended. It might turn out that they could do with fewer officers; but, with regard to paymasters, they formed part of the system originally intended by the localization scheme, and they would have the payment of the district—the Staff officers of pensioners gradually giving way to the paymasters, who would take up the duties hitherto performed by the Staff officers of pensioners. As to the cavalry colonels who had been appointed to brigade depôts, they were few in number, and he thought it would be a strong measure to say that a Cavalry colonel was not to have the command of any of the depôts. It should be remembered that Aldershot was very recently commanded by a Cavalry officer, Sir Hope Grant, and that General Scarlett was notorious for his knowledge of every branch of the service. Of course the Cavalry officers who were appointed were expected to do their duty, and if they did not they would be superseded; but all he could say was he had asked the opinions of officers of both services, and the opinion was that the duties were well discharged and that they gave satisfaction in every way. He next came to a very grave and large question, which had been opened with great moderation, and without expressing any definite opinions, by the hon. and gallant Member for Longford (Mr. O'Reilly). Let him say that the question of organization of the regimental ranks of the Line had not been neglected. They had endeavoured to make themselves acquainted with it, and though he agreed with the hon. Member for Stirling (Mr. Campbell Bannerman) as to the decision of a non-military man upon it, still he was obliged to form an opinion whether he should take the question up any further or not. He must form an opinion as to whether he was satisfied with the present condition of things. He, as a layman, was a sort of juryman. He heard the evidence on both sides, and he found his verdict to the best of his ability; and at present he found this verdict—that he was not prepared to look into this question of organization with a view to make those changes to which the hon. and gallant Gentleman had referred. He thought there was a great deal of confusion on this subject. There was a supposition that our Army was immensely over-officered in comparison with other nations. That was not the case to any extravagant ratio, though, in some respects, it was true. He found the number of officers to men in the English Army on the peace establishment was at the rate of 1 to 26, and on the war establishment 1 officer to 35 men. In France, on the peace establishment it was 1 to

24, and on the war establishment 1 to 64. In Germany, on the peace establishment, it was 1 to 28, and on the war establishment, 1 to 45. In Austria, on the peace establishment it was 1 to 27, and on the war establishment it was 1 to 52. In Italy, on the peace establishment it was 1 to 20, and on the war establishment it was 1 to 32—more officers than in the English Army. In America, on the peace establishment it was 1 to 17, and on the war establishment it was 1 to 28. If hon. Members looked into these figures, he thought they would see that the numbers had a great deal to do with the different circumstances as they had arisen in the different countries.

GENERAL SIR GEORGE BALFOUR asked from what paper the right hon. Gentleman quoted?

MR. GATHORNE HARDY said, it had been supplied to him. There would be no objection to the hon. and gallant Member seeing it. The hon. and gallant Member for Longford had said that he did not wish to interfere to diminish the officers; but he wanted economy, and they could not have economy without diminishing the number of officers.

MR. O'REILLY said, he had no wish to diminish the number of company officers.

MR. GATHORNE HARDY said, the hon. and gallant Member said—"If you had four companies instead of eight you would diminish the non-commissioned officers." Now, it was a most remarkable thing that in Germany, where they had the four-company system, the proportion of non-commissioned officers was enormous as compared with ours. There were 7 per cent non-commissioned officers in the English Army, as compared with 11·97 per cent in the German. In the foreign Armies the Staff officers were not taken away from the regiments, whereas in England they were. In the foreign Armies there was a large number of civilians employed with respect to pay, feeding, clothing, and so on—duties which in England were attended to by officers; and when the officials connected with the German Army were counted, it would be found that the difference between the German and the English Armies was almost infinitesimal. It was one officer to 23·3 in Germany, and one to 22·5 in England. These figures tended to show that this question of officers was only one of distribution. The German model had been put forward in this matter, no doubt because of the great success which Germany had gained, and it had been supposed, no doubt, that that success was due to the company system adopted. He should like to give the opinion of Lord Napier of Magdala, who attended the German Manœuvres of 1876. He said—

> "I saw nothing to lead me to believe that the organization of the German company has any advantages over our own; on the contrary, I cannot but believe that our company would extend, diminish, or change its front quicker and more easily than the German company at its present war strength of 250 men, provided that the officers and men were equally efficient in both cases."

But then another question was raised. The German Army was formed by conscription; therefore they had men of all classes, and they had men in the German ranks of a class not to be found in the English ranks—men of much greater intelligence, greater power of shifting for themselves. Our soldiers were taken from a class without much experience, and they would require leaders especially; and it would be found that, though English soldiers would go anywhere, they would need some heads wiser than their own and different from their own to carry them through the dangers which war brings. Therefore they ought not to place too much reliance upon this comparison with Germany. He knew that there were many German officers of great distinction who thought that their formation was a good deal too unwieldy; and they had, moreover, the testimony of Sir Garnet Wolseley on the same point. He hoped he would be excused going further into this subject at present; at all events, he hoped he had said enough to show that he was not neglecting it.

LORD ELCHO observed that the technical question had been recently discussed at the United Service Institute by a body of men well entitled to express an opinion upon it—namely, by a number of general and other officers, and they were unanimously in favour of maintaining the existing unit in the English companies. Further, they were of opinion that the new form of attack would in success result in confusion and in retreat would end in disaster.

SIR HENRY HAVELOCK said, that so far as he was acquainted with the plans proposed by the right hon. Gentleman to the India Office on the subject of the Indian Army he was in favour of it. He could not concur with his hon. Friend the Member for Kirkcaldy in his suggestion as to a separate local army for India, or as to long-service for individual soldiers there. The evidence taken before the Committee of 1874-5 showed that the active efficient service of a soldier in India was little longer than seven years. If they adopted a long term of enlistment for India, it would have a very injurious effect upon their Reserves; while, on the other hand, the enormous expense to India of relieving the men every three or four years should be avoided. It might be avoided if each regiment for service in India were completed to its full strength of men engaged for a seven-years' term of service, which they might readily be by means of a small scale of bounty. At the end of the seven years the men would not be too old to serve in the Reserve.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—ARMY ESTIMATES.

DEPARTMENTAL STATEMENT.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) 135,452 Land Forces, for the Service of the United Kingdom of Great Britain and Ireland, at Home and Abroad.

MR. GATHORNE HARDY: Sir, the Estimates which I have this year to bring before the Committee are, as will have been seen by those who have taken the pains to study them, what are called Peace Estimates—that is, they are in no sense whatever of a character that would enable this country to conduct a war, for which the establishments in the position proposed under the Estimates are by no means sufficient. Of course, they were naturally so introduced; because, whatever apprehensions may be entertained, or might have been at the time they were prepared, they were necessarily prepared for that which it was hoped would be the case, and which it is hoped will be the normal condition of this country. At the same time, there are some very considerable amounts of money more than there were asked for last year, which those who have looked at the Papers laid before Parliament will hardly require me to explain. I will, however, call attention briefly to them in order that there may be no mistake as to the different points on which these Estimates differ from those of former years. Now, I should like first to dispose of one subject which was introduced in the discussion which has just closed. Hon. Members who have seen the Paper which was written by my hon. and gallant Friend the Member for North Lancashire (Colonel Stanley), late Financial Secretary to the War Office, on the subject of Paymasters, will see the enormous pains he has devoted to the discussion of the question. It is a Paper which will well repay reading, and will fully show the reasons which induced us to come to the conclusion at which we have arrived. I am bound to say it was not without difficulty that I individually came to that conclusion, because the hon. Member opposite (Mr. Campbell-Bannerman), who filled the same office in the late Government, gave great attention to the subject, and left Papers at the War Office which had a great effect upon my mind, and for a long time swayed me and left me undecided as to the course I should take. The course proposed by the hon. Gentleman and the Committee of which he was a Member was that there should be departmental accountants, and that they should be in the main civilians, who would come into the office as young men. Well, at the time we were considering the subjects of Promotion and Retirement in the Army, and we could not help seeing that we should be taking away a great means of that Promotion and Retirement by cutting off Paymasterships from the military ranks. We gave the matter great consideration, and we ultimately came to the conclusion that it was a scheme which should, and might safely, be entertained as a means of reducing the expense connected with Promotion and Retirement in the Army. The consequence is, that after great labour and trouble, for which I am indebted to my hon. and gallant Friend, who in the higher office he now holds will, I am sure, equally distinguish himself, as he did in the office in which he served with me, and with an amount of diligence and skill which no one who does not know him can estimate as I do—the result is that virtually the position of Military Paymasters will be maintained, but the department has been practically re-organized, and for the future it will be under the Financial Department of the War Office. It is proposed that combatant officers should be taken to fill these places under that Department. They will not be taken merely to remove them from the sphere in which they have been hitherto working, or on account of favouritism, but upon their own application and upon probation, with strict inquiry into their fitness, and they will return to the ranks if they are not found qualified for the work they have undertaken. We shall, therefore, as far as possible, secure efficiency by a long probation before complete appointment to the office. I have no doubt hon. Members who are interested in the Army have seen the Warrant, and I am giving only the substance of it, as, because of its technical character, I could scarcely make it intelligible to the Committee. The Paymasters will be attached to regiments, but will not form part of the regiments, as before; and every Paymaster will be liable to be removed to any place where he may be wanted, and to perform any duty that may be required of him in connection with his office. When they are in the field the Treasury chest, which used to be in charge of the Treasury, will be in the hands of the Paymasters. This will bring about that which one of the most eminent Committees, which sat in 1837, recommended—namely, that we should separate the pay from the supply—a Committee on which served, among others, Lord Howick, Lord Palmerston, Lord John Russell, and Mr. Spring Rice. That Committee said that these two duties might with great advantage be separated, and we have thought it desirable to act upon their recommendation. We believe that by means of the system which we have adopted we shall secure the efficiency of those officers, and also that which has long been wanted—proper control; that we shall have, instead of a mere paying, an accounting department, responsible to the Financial Department in London; and that it will be considered no affront to those officers that frequent inspections without notice should be made by financial officers sent down from London in order to see that the accounts are going on satisfactorily, inasmuch as that will be a part of the system. That is a very short statement as to what has been done, and the change will, I think, lead to a very considerable saving in the end. Actuarial calculations tell us that the saving will, in all probability, vary from £8,500 to £25,000 a-year. This, of course, will take some time, because, in making these changes, it was impossible to carry them all into effect at once. I do not propose to make any remarks on Vote No. 2, but I will return to Vote No. 1 presently. In the meantime, I would point out that with respect to what is called Divine Service, the only change is that certain officiating clergymen have been made Army curates, which causes a small increase of expense. There is also a small increase under the head of Military Law, caused principally by the mode in which we are attempting to deal with fraudulent desertion, and the rewards we are giving for detecting offenders. I now come to a subject which is next in order—that is, the Medical Department. As I have been supposed to have said some hard words respecting it, I feel I owe an apology to those hon. Gentlemen who take an interest in the Department for anything that may have fallen from me with respect to it to which they think exception might fairly be taken; but the worst I said was that it might lay itself open to criticism if, like a certain character in one of Dickens's novels, Oliver Twist, it continued to go on asking for "more." The Medical, I may add, is not the only Department which does that, and I am far from wishing to throw any discredit upon it, though I adhere to the opinion that in the case where there is not a horse to be kept there cannot be a good claim for forage. The Department has, let me say, at all events, done justice to the Army; for the health of the troops has never, I believe, been better than during the last year, with the exception of those stations in the West Indies where there have been some severe attacks of yellow fever. In the United Kingdom the death-rate has never been higher than 8 per 1,000, while there has been no great amount of illness, there having been, I think, only 41 per 1,000 in hospital during the year, many of the cases being only of a trifling character. In India even, where it has been supposed a high death-rate has prevailed, the number in hospital has been only 56 per 1,000, and the deaths have not been quite 14 per 1,000 —a rate of mortality and disease which, I am sure, those who are acquainted with that country will not regard as very great. In the Mediterranean, also, the health of the troops has been very good, and the most favourable accounts are given in the latest Returns of the condition of those serving at the Cape of Good Hope, where we are about to despatch more men. This is very satisfactory, for these troops, I may add, though very young soldiers—particularly in the case of the 88th Regiment—have done the very best service, and have in many instances displayed the greatest gallantry. It is supposed, it appears, from an Answer which I gave to a Question which was put to me in this House the other day, that I regard the condition of the Medical Department as being hopeless. Well, I certainly said I thought it was unsatisfactory, but I did not say it was hopeless. I must say that I certainly look upon it as unsatisfactory that there should be so many vacancies in the Department and so few candidates; but I believe that in the case of India, where the service is popular, the number of candidates very little exceeds the number of vacancies. I am told, indeed, though I cannot vouch for it, that there is a very considerable reduction in the number of medical men throughout the Kingdom in proportion to the population, and that the demand for them in civil employment is very great. I have been assured by an hon. Member of this House that it is a common thing for a young man having £300 or £400 to buy a practice, which brings in a large return; and there is, no doubt, some difficulty in getting candidates for service in the Army, so that we cannot attribute the shortness of the supply we experience altogether to the terms which we are able to give. The fact is there is a diminution in the number of men who would be candidates; and I must add that the opening of the Civil Service and the competition for appointments in India tend very much to draw young men away from medical pursuits; but, be that as it may, the real state of the Army Medical Department on the 27th of February last was as follows:—The number of executive medical officers on *The Army List* was 836. Six have since retired, leaving 830. To these must be added 25 surgeons, whose names have been sent in for *The Gazette*, and three surgeons who have come back from half-pay. Then, the whole establishment for executive medical officers is, for 1877-8, 885, giving 27 vacancies. Nineteen candidates go to Netley on the 30th of March to meet these vacancies, so that there will be only eight vacancies unfilled. So, whilst I cannot say that I am altogether satisfied with the competition, the Department can scarcely be in such a bad condition as some hon. Gentlemen seem to suppose. It is, however, at the same time quite clear that we must have medical men for the Army somehow or another. Our medical expenses this year are increased by the necessities of the Cape. I mentioned the other day that a number of civilians had been employed out there. The troops are in so many and small detachments that it was found impossible to employ military medical men with each detachment, and so the troops, in many cases, have been placed under civilians. We have done everything we could to relieve the medical men in the Service of duties which did not properly belong to them, such as the Store duty, and we have increased the number of hospital attendants, so that their labours might be made less burdensome; and, although I have got a great many letters of complaint, I must confess that I am quite unable to ascertain exactly what it is they want. There are, no doubt, those who wish to return to the regimental system. That system, however, has gone, and it would be impossible to recall it. It was put an end to in 1873, not only as the result of argument, but on the ground of economy, and the certainty that they could not have such a system in time of war, as it would break down at once. We must have all our hospitals on one plan and one basis; and it would be perfectly unfair as to the roster for foreign service that whoever happened to be at the head of the Department should not be in a position to give every man his fair turn of home and foreign duty, which can be done effectually under no other than the present unified system. I quite admit that system is on its trial; and, although I should have been glad to have got better terms for it, yet those which I proposed were considered at the time by many medical men extremely favourable. The scheme adopted by me may not answer, but I think it is entitled to receive a little longer trial. All that I have to add with regard to the whole subject is that I have referred the questions of complaint to a very small Committee having only one medical man upon it, and two others perfectly qualified to deal with them. They will formulate the complaints made on every point, and report to me with respect to such amendments as they may deem necessary in order to render the Service more acceptable to medical men. I should be very desirous to make it so; because I feel there is no Department in which it is more important to have efficient medical men than in the Army, and that it is very unfortunate when they are dissatisfied with the Service. I do not know that I need say very much about the Votes connected with the Non-effective Services. Those Services are very much swollen this year by the money for Purchase being added. Inasmuch as that and the question of Promotion and Retirement are blended together, I thought it better to take it in the regular Estimates; but the increase is only nominal, as those who study the Estimates may see. The Committee will, I think, find there is, in reality, nothing more than the ordinary increase in these Estimates for the Non-effective Services, over which, I am sorry to say, we have no control. It is one which grows of itself, and which swells most materially the Estimates for the Army. As to Stores, although it is a subject on which I have generally given the Committee some little information, I have nothing very particular to say respecting it to the Committee this year. The naval demand is very large—£367,000 as against £291,300 last year; but the increase was expected, and I must say that on examining the items, I perceive they are all of a character very essential to the Navy, which makes a larger demand for Gatling guns, torpedoes, gun cotton, and gunpowder. Then we also make a number of heavy guns every year. There are two 81-ton guns in course of manufacture, but they take nearly two years to make; there are 16 38-ton guns to be made for land service, and six for sea, and I need not go through the details of all the smaller guns, but altogether there will be made this year 141 military guns, and 68 naval. [Major NOLAN: Are these in addition to those required for the *Inflexible?*] These are the *Inflexible* guns. There was one 81-ton gun begun in 1875-6, and three were gone on within 1876-7. These were going on through last year, and those that are now in course of manufacture will be finished by the time the *Inflexible* is ready to receive them. A large sum of money is necessary for this Department and also for metals, which are necessary for the Laboratory. A great quantity of explosives have to be made there; and, consequently, there is an increase for the Royal Laboratory in the Estimates of between £30,000 and £33,000. We have also had to increase the reserve of saddlery and of camp equipages. We have gone on long using our camp equipages, till it has become necessary to ask for a larger sum, and there is an excess under the head of £6,000; but it is absolutely necessary. I will now go back to some of the establishments, and take the increase of the Militia. In connection with this subject there will be found in the Estimates, for the first time, this year, a statement with respect to all the Forces of the country. The establishment of the Militia is 136,778, of whom more than 99,850 were present at the training in 1877, so that we may take 100,000 as in round numbers the effective strength of the Militia. That, of course, is far below what I should wish to see, and I should very much like to see some of the second battalions, which have been so low for many years, filled up. At the same time, it is surprising to see what the enlistment for the Militia is. Last year there were, practically, 40,000 new enlistments, and 4,882 re-enrolments; so that, at present, judging from the number of re-enlistments, there must be a great waste of men. There is some diminution, also, I am sorry to say, but not to any great extent, in the Militia Reserve, which, on the 1st of February, consisted of 26,615 men, while we ought to have 30,000; and I do not know why we should not have that number, for men are generally ready to take the bounty. I trust, however, that these Reserves, on which I naturally lay great stress, may soon be brought up to their full complement, and, indeed, I should not be sorry to see that exceeded. Certainly, I have no fears when I find what is the tone and spirit of the Militia officers; and I think it right that the Committee should know that from every part of the country offers have been sent up, indicating that, in case of emergency, the Militia should be made useful, not only in this country, but abroad, as they are ready for embodiment in order to go wherever they may be sent. Some of the finest regiments propose to place themselves at the disposal of the Government for such work as they might think fit to put upon them. A Militia with such a spirit animating it really becomes an effective part of our Army Reserves. The Militia, then, is a very important Reserve, and that being the spirit prevalent in it, I hope that its ranks may be filled up in a short time. Now, I come to the Army Reserve, which, I must frankly confess, again falls far short of giving me satisfaction. This year, no doubt, it has considerably increased; but it is an increase far short of what was expected, and if it had not been that, finding recruiting good, we discharged men of three years' service into it, it would not nearly have stood at the amount it has now reached. Through that means we now have 11,328 men in the First Class of the Reserve, or, at the present time, probably, in round numbers, 12,000, which total, added to that of the Militia, makes 37,000. I believe that my Predecessor (Viscount Cardwell) put the final condition of the First Class Reserves at something over 80,000 men. I am bound, however, to state my belief that that is a figure that never can be reached. This year the number has not increased, as calculated on in the first instance, because in India the Enlistment Act gives an additional year, and the consequence is, that a reserve man in India due this year will not come in till the next. That will bring home about 3,000 men next year, and will swell the total; but in the end, according to calculations, desertion, purchased discharges, and bad character discharges, reduce the men available, and the maximum Reserve will not be in its normal condition higher than 60,000 men. I should be very glad to say when that figure will be reached; but I can only give the calculation as it was made for me, and cannot vouch for its accuracy. Subject to these deductions, we hope to have in 1879, 16,978 men; in 1880, 22,035 men; in 1881, 28,379; in 1882, 33,448; in 1883, 43,697; and the calculation has not been made beyond that year, but the maximum possible eventually is between 59,000 and 60,000 men. In addition to this you will, of course, have the Militia Reserve, of a different class, it is true, but a Force that may easily be made efficient with a little training. [Lord ELCHO: At what date is it thought, according to Viscount Cardwell, we shall have a Reserve of 80,000?] Pretty soon; I think it is as early as 1880. Available for home service there is the Second Class Reserve of 23,760, who cannot be sent out of the country. One word with regard to a point much noticed by some critics—namely, that it is stated by the Inspector General that there is a great deal of fraudulent enlistment on the part of the Reserve men. There have been instances, no doubt, but not in very large numbers; and this is clear for one reason particularly—namely, that the men come up with but a small deduction for pay, which they obviously could not do if they had again enlisted. The following figures bear out my argument:—There were absent from a section of 2,532 men no more than 41; from one of 3,238, 114; and from one of 4,037, 109. Of course, all the absentees had not all fraudulently enlisted, and, in fact, the presumption was that only a small fraction of them had done so. Still there are some very bad cases, and as the subject of desertion is before the Committee, I am bound to say that I do not take the view of those who think that it is wicked to mark a man for that offence, if it is not done painfully. Such marking by tattoo is often done by sailors for pleasure; but in our humanity we have chosen not to tattoo men who are bad characters and who have left the Army, and hence it is that this practice goes on more unchecked than it otherwise would. I cannot see why a mark should not be put on those men who deceive the country, and who are giving the impression that we are employing soldiers who cannot be depended upon. I cannot see why a man who is a thoroughly bad character, who carries off his clothes, and who robs and cheats the country, should not have the letters B. C. fixed upon him. I now come to the Volunteers. The efficient Volunteers, as will be seen from the statement to which I have referred in the Estimates, number 183,078, and they are steadily increasing. The non-efficients are 10,216; so that altogether we have nearly 200,000 men, and men who are gradually making themselves efficient. I am bound to add that the officers are not behind them. I find that there are 5,195 officers and 11,111 sergeants who have certificates of proficiency, and nothing can show the real character of the Volunteers and their growing efficiency and military spirit more than that which we now see in almost every part of the Kingdom—the way in which they every year go into camp. The number of camps is between 70 and 80 every year, and the little hardships are very willingly borne by the men, who get a considerable amount of drilling during their week out, which is of great value in making them very good soldiers. With regard to the change in the dress of the Volunteers, the question of the colour of that dress has been very much agitated, opinion generally seeming to run in favour of scarlet, and, at the present moment, taking the administrative battalions of the Volunteer Corps together, there are 91 in scarlet, 66 in green, and 57 in gray; so that already scarlet is a more popular uniform among the men than green or gray. Then of officers who have obtained certificates of the higher class, taking the Militia, the Volunteers, and the Yeomanry together, there are 1,580, and also 1,149 who have attended the Schools of Instruction in the last two years. A great many suggestions have been made with respect to the Volunteers, and many persons have urged that considerably more outlay of public money should be made upon them. Well, I think there is a case now for giving consideration to the claims of the Volunteers and to their necessities; but I am not desirous that they should become in any sense a paid Force. Whatever you do, you should remember their origin—that they were a Volunteer Force from the beginning; and, although you should give them assistance, you ought to be very cautious indeed as to bringing them as a really paid Force into the service of the country. The movement owes its existence to men many of whom have left it, and who established it without such assistance, and brought it to the perfection it has now attained. But many things may be done to render the Service more efficient, and that not by money alone. In consequence of a meeting that was recently held at the United Service Institution, many points have been brought before me which I will take care to have duly weighed and considered; but I can undertake to say no more at present than that these matters are now engaging my attention with a view to make the Volunteers as efficient as possible for the Service they enter. Before, however, leaving this Force, I cannot help mentioning what I daresay will surprise many hon. Members—namely, that there are among the Volunteers, who have for their motto, "Defence, not Defiance," many men, as well as many officers, who fully appreciate that motto, but who are ready to go beyond it, and to quit this country and take up garrison duty abroad if any necessity for doing so should arise. That is the spirit shown by both officers and men, and I am also told by many Volunteer officers that they feel certain that they will bring into the Regular Forces of the country, under any pressure, many fine stalwart men who will be ready to volunteer to enter the Regular Service. It is therefore natural that one should wish, as far as possible, to do what one can to increase their efficiency. With reference to the Yeomanry, there are changes going on that require watching—that is to say, there are many small corps, and it is difficult, I know, for them to survive. But there is no further change this year in the Yeomanry on which it is necessary to remark. The drill they are subjected to is calculated to make them valuable as out-postmen in a country familiar to them, and everything is being done by themselves to make them as efficient as possible, so as to be able to render effective and valuable service to the country in time of need; but for myself I would rather have a few efficient Yeomanry corps than a great number of corps that are not efficient. It is a great mistake to keep up very small corps, which cannot in the nature of things be as efficient as the larger corps; and it is better to spend money on the larger ones than on those which, I will not say are inefficient, but which do not give sufficient attendance to secure efficiency. At the same time, there are among them regiments which have taken enormous pains, and which might stand very well by the cavalry of the country. I would next observe that this year it is proposed to have Manœuvres on a somewhat large scale. My proposal is to place—I hope somewhere near Salisbury, because of the great space we can get there—an Army Corps ready for foreign service. I do not mean to say that we shall fill up the *cadrés* to their war strength, because it might be unnecessary and might lead to difficulties in diminishing them afterwards. But still, as they are the regiments that are first for service, they will be pretty full; and I propose that the Manœuvres should be conducted with that Army Corps at a strength of about between 30,000 and 36,000 men. That will, of course, account for a considerable portion of the increase in the Estimates, although it is not put down as a separate item for these Manœuvres; but is spread over the different charges, such as forage, transport, and other things which come in as necessities. The amount, in round figures, is about £80,000, or something rather beyond that. Besides the Manœuvres, there is the increased expenditure required for the additional men sent to the Cape. I hope this sum will be repaid by the Cape Colony; but I am bound to say that is a Colony which is not very satisfactory in regard to these repayments; and I think it is time for the House to take into its consideration this question of the terms upon which we will send out troops to a Colony like the Cape, which is really able to pay a great deal. I say this more especially as we have seen from the newspapers what has occurred there, and that the attempt has been made to separate the Colonial Forces from the Regular troops, thus giving the Commander-in-Chief all the responsibility with none of the control of the Colonial Forces. That is a state of things which it would be degrading to this country to submit to; and, therefore, I think we should be only doing our duty, should this course be adopted by the Colonial authorities, in withdrawing our troops from the frontiers of that Colony and employing them for the Imperial purposes for which they were sent there—namely, in taking care of Simon's Bay and the neighbouring coast. Natal, of course, is in different circumstances. I do not mince matters. I think the Cape colonists ought to pay, as they are able to do, some of this expenditure; and I am sure that they will never organize any military force for themselves if we undertake to fight for them, and to pay also. I think I have now gone through the main Votes with the exception of the great Vote of the men. But, before I pass to that, I may notice that I have been asked a Question about the Martini-Henry carbines for the Cavalry. From the 1st of next month that will be the arm for the Cavalry, and it is a most effective weapon. There has been a great difficulty in getting the buckets made, which accounts for the delay; but the Cavalry, the Artillery, and some other forces will be put in possession of the Martini-Henry arm, which, I believe, is a very admirable weapon, and one which has been found to shoot with extraordinary precision. Last year the hon. Gentleman the Member for South Devon (Mr. Carpenter-Garnier) brought forward a question about some mounted riflemen in Hampshire, and it has been supposed that I spoke disrespectfully in regard to that force. So far from having done that, I spoke with the greatest respect of the gentleman who organized that force, and of what he had done in reference to it, recognizing him as practically, in many respects, the inventor of the system. But I found that the officers abroad have experienced great difficulty in using the long Martini-Henry which was used in that corps, and have asked for the short arm for the Cavalry. The long rifle, therefore, not having been found to be advantageous, they have gone back, very wisely, to the short arm; and I believe that it will do all the service that is expected from it. I now come to the Vote of the men. We ask for an increase of 1,732 men; and it will be seen from the Paper called the Variation of Numbers how that increase is caused. The increase of the regimental part of the Army is mainly owing to the war existing at present at the Cape. We have, of course, to make up the regiments to send them out, and any hon. Member who is anxious to know exactly how the whole increase is made up, if he turns to Page 6 of the Estimates, will find the rest of the total of 1,732 additional men. I am sorry that there should be this increase; but it is really necessary for the Service. I come, then, to the way in which the Army is supplied. There has been, I know, among those who take the deepest interest in the Army and who would not for the world say a word against it, a strong feeling that we are dependent in this country upon an Army which is, on account of its youth, not so efficient as it ought to be. There is a great deal of truth in this—that when you have a system such as we have of short service and of linked battalions, you must have always at home a great number of young men. You will find by the Inspector General's Return that you must have between 20,000 and 30,000 recruits in your Service; because you do not send them out to India or the Colonies till they have been a certain time under arms, and 28,728 men were raised within the year. The consequence is that you have a large number of recruits. As the regiments come from abroad from the bottom to the top they begin to increase from 520 to 820. When there is a special demand, new regiments are brought up and new recruits are brought in. The consequence is that we have a great number of young men. I feel, with all those who have an interest in the Army, a great desire that these young men, if possible, should be older, that we could get them at 20; but I still feel it is one of those things we may talk about but are not able to do. We cannot get them at 20, and if we got them nominally at 20, we are not sure that they do not overstate their real age. We cannot expect them to go about with their certificate of birth, and, in fact, a great many do not enlist in their own names, so that their certificates of age would be no guide. They do not bring that sort of thing, but they make their own statement, and that we are obliged to accept. But you will have observed that we have directed that greater care should be taken as to the enlisting of recruits. We have raised the standard very much, and have called upon medical men to test them, and decide according to the best of their judgment. They have to decide whether the men are of sufficiently mature age, and whether they are or are not such as would be fit for the Army. If they are not, we think it our duty to reject them at once, and that is carried into effect without fear of the result. I am happy to say that the supply of recruits is most satisfactory; in fact, there is a very steady flow—a flow quite remarkable, and I am sure the hon. Member for Hackney (Mr. J. Holms) will be glad to hear that the supply of recruits is sufficient to meet all our needs. With respect to desertion, it is quite true that it goes on very much among those who have lately come into the Army; but when you take the number of men who rejoin after deserting, having never intended to desert at all, but having gone on a lark, staid too long, or been detained by some fascination, you will find that the desertions are only 2,621, which is not so large a proportion as we have seen in former years; and I trust that the number will go on diminishing. [Colonel MURE: That is the dead loss.] Yes; that is the dead loss. We take into account those who rejoin. The Army on the 1st February had 1,690 men above the Establishment, and we have the greatest difficulty in keeping it under, because the recruiting has been so good. It is owing to that circumstance I have been able to send so many more men into the Reserve. In former years, as I said before, the amount of the Estimates used to be rather discounted, on the understanding that the Army was never full. There has been a steady increase of recruits in the last two years; and although there have been some regiments not quite full, at the present time there is a superfluity of men in the Army, owing, as I believe, in a great degree, to the new terms which Parliament enabled me to give. I should like to give some evidence with respect to the condition of the men now at Aldershot. In consequence of complaints that have been made about the youth of these men, I have had a Table prepared, which I should be glad to show in its detail to any hon. Member who may wish to see it. From this Table it appears, taking a number of men under one year's service but dismissed drill—and these were taken from 21 different corps—amounting to 3,478; the average age is 20 years and 1 month, average weight, 10 stone 7 lb., and the average chest measurement 35 inches. Taking the men who are still recruits at drill, I find the same result, and that the average has not broken down, and that in 3,000 men the average weight is 10 stone 7 lb., the average age 20 years and 3 months, and the average chest measurement 35 inches. I do not think there is any higher standard than that in any Army that you can go to. His Royal Highness the Commander-in-Chief went down this morning to inspect those men—those who have passed drill and the recruits—and he has written to me expressing his great satisfaction at what he saw. He was very much struck with the men who have passed drill, and is quite sure that we have got a very good class of recruits, who when they have passed drill will be ready to take their places in the ranks. I hope the Committee will think that is not an unsatisfactory state of things. You must remember that, in addition to the regiments at home, you have troops at Gibraltar and Malta of a more highly-trained class, who are remarkably fine men. On the whole, I look with satisfaction on our Army. I still think it is a great misfortune that many of the men are so young, and have no doubt that some of them come younger than they state themselves to be; but, at the same time, they are a fine class of fellows, who will make very good soldiers and will make them in a very short time, for they soon become bodily strong. There was, and will be, a growing difficulty about non-commissioned officers, but at the present time it has not risen to its fullest extent by any means. The number of sergeants in the first period of their service is 1,107; the number of corporals, 1,113—making a total of 2,220. Of re-engaged men there are 3,293 sergeants, 1,617 corporals—making together 4,910. On short service there are only 275 sergeants and 1,255 corporals—making together 1,530. So that out of the total number you have a large proportion of men of long service. But in 1878 and 1879 there will be a considerable diminution. There will be men going out of the Service having served their time; but at the present time you have all but 1,530 men of long service. Now, I think that is not a very unsatisfactory state of things. Now, let us look at the Estimates. They have been, unfortunately, increased. It used to be said we had our Army at a cost of about £100 per man. Now, I think, the cost is about £110 or £111 per man; but the great expense has been in the growth and cost of material—such as guns and other articles of a similar description—and therefore you will find the increase has not arisen so much from the number of men as the changes which are necessary for the Service. I feel myself great faith in those Forces which we have in the Reserve, and I do not think it unreasonable we should look at our 400,000 men as a basis from which you might build a military fabric. We should remember that these are all men of a strong military spirit—that a strong military spirit, I do not say a warlike spirit, prevails in the country, and a strong desire in all classes to serve their country. There are a far greater number of men in 1878 than there were at the time of the Crimean War who would be ready to come forward to serve their country if the necessity should arise. Taking into account the whole number of men we have to provide with materials, it will be found that the charge comes down to about £30 per man. That is not an unfair estimate, particularly when you find a readiness on the part of the Volunteers and Militia to render their services. I feel that these are men who may be relied upon, and will be the means of bringing into the Service of the country men who will do honour to the Army. I trust this Army may not be called upon for active service. But I feel a confidence which every day's acquaintance with it makes stronger, that if it should be called into active service it would be found efficient both in regard to officers and men; and I should feel that this country, if called upon to engage in great wars, as in former years, could rely upon its people to maintain the Army, as it could rely upon the Army to maintain its patriotism and duty to the country, and that we should find that both the Army and Navy would do honour to their country as they have done in former years. The right hon. Gentleman concluded by moving a Vote for 135,452 men of all ranks.

Mr. J. HOLMS said, he was anxious to make a few observations upon the very clear statement which had just been made by the right hon. Gentleman. He entirely agreed with the right hon. Gentleman that it was somewhat unfortunate that the Estimates for the present year showed a great increase upon those of the past four years, amounting, not to £492,100 as shown in the Estimates, but really to the sum of £681,900. Both sides of the House were equally responsible for the position in which they found themselves with respect to the efficiency of the Army; because he (Mr. Holms), and those who sat near him, could not disguise from themselves that the Army re-organization scheme had been originated by their side of the House. What the country required, was not only that they should get the greatest number of efficient soldiers for their money, but that they should obtain the greatest and most perfect defensive Force compatible with the least personal service from their soldiers. That was a subject of the deepest interest to the whole community. He confessed that he was not at all surprised to find the condition of the Army to be what it really was. Anybody who built a house upon an unsound foundation, and with defective materials, and repaired it with the same feeble materials, would naturally expect to find the cost of upholding it always increasing. Yet that was the condition of the Army, to a great extent, at the present moment. It was founded upon an unsound system, and was composed of material that was not as strong as it ought to be. He might be asked why, when he asserted that the increase of the Estimates was so great this year, he did not put down a Motion to reduce them by the sum of £682,000? There were two reasons why he had not taken such a course. The first was, that undoubtedly in the existing state of affairs in Europe, and after the discussion they had already had on the Vote of Credit, it would have been an unbecoming and very improper course to take. He, therefore, contented himself with merely offering criticisms and making no Motion. In the second place, he thought that a Motion to reduce the Estimates by a sum of £600,000 or £700,000 was in no way commensurate with the magnitude of the question. It had to be dealt with on a larger and broader basis than a reduction of £600,000 or £700,000. When the re-organization scheme was first propounded, and they were called upon to vote a large sum of money for the abolition of Purchase, they felt undoubtedly that they might fairly expect that greater efficiency would follow from that enormous expenditure. It was thought that desertion would considerably decrease, and, above all things, that our Force of trained men would greatly increase. He regretted to hear from the right hon. Gentleman that that expectation had been a complete shadow and a myth. They were not to look for any large increase in their Army Reserve at all equal to the number which the Government, when opposing a Motion of the noble Lord the Member for Haddingtonshire (Lord Elcho) many years ago put forward as the number that ought to be maintained. They were told at that time by the Under Secretary for War that, as wars were very sudden, they must not expect to be able to make soldiers, at a moment's notice, as modern times now required — thorough soldiers. If they were now required suddenly to send a large body of men into the field, they would find it impossible to do so, unless considerable time was given for preparation. It took about the same time to manufacture a good soldier that it did to build an iron-clad. They were told, in 1871, that if they gave the money, they would by-and-bye have an enormous force of manufactured men in reserve. It was now said that it was impossible to expect any great reform in the Army and its system from within; and he particularly regretted to see that that opinion had been expressed by one of our leading military men—namely, by Sir Garnet Wolseley, in the article which had already been quoted. He (Mr. J. Holms) had been treated very fairly by Sir Garnet Wolseley in his article, and he was, therefore, somewhat indebted to the gallant General; but he confessed that he had read this statement with some surprise—namely—

> "That most of the great reforms recently effected in our institutions and professions had come from without. It was to the pressure of public opinion brought to bear upon abuses or obsolete systems that we were indebted for all great and useful changes. Few professions, and the Army least of all, were capable of reforming themselves."

He asked the House to consider what that admission, coming from so high an authority, was? Sir Garnet Wolseley simply admitted that although we had spend £6,000,000 during the last six years in order to allow the War Office to carry out its own scheme, still nothing could be done unless the outside public were called in to show them how to do their own work. This was a most extraordinary admission from such a quarter, and he was not quite sure that it was a sound principle for the War Office to lay down—that they must depend upon outside action before they set to work to introduce measures of reform which they admitted might, in many instances, be adopted. The gallant General stated that the Army and Navy were our national fire-engines. The simile was very good; but if the War Office was not to put the fire-engine which was under their direction in thorough order, without the taxpayers, who had to pay for it, pressing them to do their duty, he could not help regarding the condition of things as extremely unsatisfactory. Perhaps it would be as well to enter for a moment a little further into the actual expenditure this year. The actual expenditure this year was a great deal more in proportion than it appeared at first sight, and was an immense increase upon the Army Estimates of three or four years ago. The Army Estimates this year amounted to £15,595,800, and included £638,200 for Purchase, which appeared for the first time; and also a sum of £1,080,000 for charges upon India. After deducting the Exchequer Receipts, the total sum was £15,677,100. In 1873-4 and 1874-5 the average cost, after deducting the estimated Exchequer Receipts, was £13,366,000. The increase this year, therefore, beyond the average of these years, was £2,383,000. He regarded that as a very large and substantial increase—an enormous increase, indeed—an increase that would entail upon the taxpayers of the country a sum equal to something beyond an income tax of 1*d.* in the pound. As regarded the number of men, the Secretary for War dwelt upon that subject only at moderate length. He (Mr. J. Holms) would take the same three years —1872, 1873, and 1874. He would take first the average number of non-commissioned officers and men effective during those years, and add to them the First Class Army Reserve. He found that in 1872 we had 195,103 men; in 1873, 191,630; and in 1874, 190,790; or an average of 192,500. To maintain that Force we had an average number of recruits during the three years amounting to 18,500. Broadly, then, we had 192,500 men supplied and maintained by 18,500 recruits at an average cost of £13,366,000. On the 1st of January this year, he found that the number of men in the two Forces to which he had referred was 193,491, and last year they had 28,715 men to maintain that standard. Notwithstanding this enormous supply of raw material, no adequate result was produced. The Reserve was increasing very slowly; not even at the rate that hon. Members would at first sight be inclined to believe. On the 1st of January, 1875, the Army Reserve numbered 7,845 men. On the 1st of January, 1878, the number was 11,258, so that in three years it had only increased 3,413 men. In 1875 the War Office authorities started with 182,000 men then in barracks. In 1876 and 1877 they had 58,000 recruits, and yet the result was only an addition to the Reserve of 3,400 men. If our raw material was so good, if our recruits were of such splendid quality, why did not we manufacture soldiers more quickly, and pass them into the Reserve? It was idle to contend that the condition of things was satisfactory, or anything like satisfactory, while they had such enormous numbers of men taken on as recruits, with no greater results than the figures he had referred to. There was an effective Force at the present time at home of 98,677 men, and deducting officers and non-commissioned officers, &c., left 87,000 men. He would venture to ask whether he was correct in deducting nearly 2,000 for men in prison, while there were 3,470 in hospital, and added to those, about 1,000 deserters were running about the country. He did not know whether they were regarded as effectives. He was loth to believe so, and should be glad to be corrected if he was making a mistake. They must see, from the figures he had given, that the great bulk of these 87,000 men were raw recruits, and that they had little or no Reserve to fall back upon. He considered this a highly unsatisfactory state of things, having regard to the enormous amount of money that they paid for their Army, and the enormous number of recruits that were provided. As to recruiting, he would say at once that he regarded the Report of the Inspector General as nothing short of a comic paper. It was one of the most extraordinary documents he had ever read. The Inspector wrote—

> "I have great pleasure in being able to report so satisfactorily of the year's recruiting, the number of recruits raised during the last

12 months having been more than sufficient to recruit the ranks in that period, and the Army never having fallen below its standard."

Further—

> "The condition of recruiting and the abundant supply of men I am induced to believe are sure indications of the increasing popularity of the Service, as showing its advantages are duly appreciated, as they become more generally known."

But the same Report said that in a large number of cases, there could be no doubt the recruits concealed their real age, that a number of immature lads had been enrolled in the Army, and further, that many men were taken very young, though they afterwards developed into efficient soldiers, if they remained. This was one of the great difficulties, for the Report went on to say—

> "I regret that the crime of desertion is unfortunately unabated in the Army, and without the efficient safeguard that formerly existed, and for which no adequate substitute has been devised, it is one that is likely to continue, to the great detriment of the Service."

Surely, it was perfectly obvious that the second statement entirely contradicted the first. If it were true that the Service was popular, how was it men ran away; if it was popular, why take immature lads when they could get such a choice? The truth was the Service was not popular, and this was set forth very clearly in the same Report. Not only was it markedly unpopular because the men ran away, but it was also clearly unpopular, because men took the honest and legitimate means of purchasing their way out. No fewer than 2,970 men sought to get out of the Army in that way. Further, the Inspector General stated, that the unfortunate depression in trade ought not to be lost sight of—in estimating the reason why so many men—or, rather, so many boys—had entered the Service. But was it a satisfactory state of things, that a rich country like England, must depend on times of depression to get the men she wanted. It was most unsatisfactory, for it was perfectly clear that, if we had good trade instead of bad, there would be not only greater difficulty in obtaining boys and men for the Army, but there would also be far greater difficulty in keeping those he had from running away. It was a state of things which the House of Commons could not regard with anything like satisfaction. Last year, the Secretary of State for War (Mr. Gathorne Hardy) gave him rather a castigation, for having quoted from a paper, which the right hon. Gentleman thought ought not to have been quoted from, and twitted him with not using official documents. In fact he (Mr. J. Holms) quoted from *The Hue and Cry*, the Police Gazette, and he could not conceive how the right hon. Gentleman forgot that that was an official paper, of which he was himself, so far as the list of deserters were concerned, the author. Everything in that paper came direct from the War Office, and it was a public document. Therefore, he felt he was justified in using it, and he should always use it, as the best and truest, and only test of the dissatisfaction of our soldiers with their present system, as he had said more than once before, it was no answer to the point he made, to deduct the number of deserters caught. The measure of discontent must not be gauged by the number of men they caught and brought back into the Army; but by the number who left it, for the men who were brought back by force, were no more contented than those who had gone away and had not come back. Therefore, he maintained *The Hue and Cry* was the best possible test. It seemed that in 1877, the number of desertions was 7,500; in 1876, it was 7,610; in 1875, it was 6,510. These figures were enough to show the number of men who had left, or who would liked to have left the Army. The condition of the Militia was precisely the same. The Government like the daughters of Danäe were trying to fill a sieve with water. The more men ran away, the more recruits naturally were required. There never were so many recruits needed as last year; but the best test of the unpopularity of the Militia Force, also, was that the number of deserters advertised for, reached the enormous number of 13,433, so that with 750 from the Regular Army, they had nearly 21,000 men running away last year from their two Forces—the Army and the Militia. The truth was that they were fighting against nature, and nature would beat them. Never by any chance would they be able to get together and keep together an Army in that country, until they did what was natural. Throughout the whole of Europe, all the Powers had come to the conclusion that it was useless to begin with men under 20 years of age. He was rather interested to see that the first Army to be read of in the Bible, was declared to be an Army composed of men of 20 and upwards ready for war. In those times, no men were regarded as men fit for war until they were 20. In this country we were fighting against nature at both ends. We were taking mere boys, when we should have men ready for the severe strain of drill, and they were keeping men long after they were thorough soldiers in enforced celibacy, who ought to be allowed to go home and be married. This question of age was a very serious one. The life of a soldier up to 25 years of age was a healthier one than that of the ordinary male population of England and Wales; but beyond that age it was not so, and beyond 30 years of age, it was markedly not so. In this respect, he was greatly gratified to hear the Secretary of State for War declare, as an opinion founded upon medical advice, that eight years should be the outside period for service in India. Yet he found from the official Report of 1876, that out of 59,500 men in India, 21,263 men were over 30 years of age, and the medical testimony was that if these men had been between 20 and 30 years of age, instead of being over 30, the number of deaths would have been fewer than they were by 356, the number of men in hospital would have been fewer by 785, and the number of invalids sent home would have been fewer by 556. Was it not a serious statement to make in the House of Commons, that 356 men died last year in India, who under a sound system need not have died at all? Surely, that was a condition of things which was extremely marked in its character, and required serious and early attention. At home, the number of men who need not have died would be something like 373, so that in that they were fighting against nature also. He had listened with great interest to the statement of the right hon. Gentleman, as to the number of officers in foreign Armies; but he could not agree with him that in the English Army there was a proportion of officers anything like that required by the other Powers of Europe. For instance, the number of generals we had was not at all in proportion to the numbers in the German Army. He would not trouble the House with figures, but he should like to ask the right hon. Gentleman one question. The highest military authority in this country, His Royal Highness the Duke of Cambridge, when before the Royal Commission on Promotion and Retirement said, in answer to Question 192—

> "I think we have very much too many field officers now, and the consequences are very serious. You get a lot of men in the highest positions who feel it beneath them to do many duties which must be performed, and the result is that either their status is lowered by calling upon them to perform such duties, or the duties are not done at all."

He should be glad to know whether the right hon. Gentleman had taken any steps to change this state of things, or, if he disagreed with His Royal Highness, it would be highly interesting to know on what grounds. The subject was one of great importance, as to which they were bound to have some clear and definite information. He was very glad to find that the right hon. Gentleman had formed two Army Corps; but he should not rejoice at all if those Army Corps were the Nos. 1 and 2 to be found in *The Army List.*

MR. GATHORNE HARDY said, he had declared again and again that these Corps had nothing whatever to do with foreign service.

MR. J. HOLMS was delighted to hear it. Then were the two Corps in the *List* to be formed, or not? If they were worth anything, let them be formed. If they were worth nothing, let them be taken out of the *List.* The present position of things, as regarded the formation of Army Corps in time of peace, was not creditable, and the situation should not be played with. Let them have real Army Corps formed, and generals appointed, for until that was done nothing could go on satisfactorily. He doubted very much, dealing with that point, whether they would ever put a stop to desertion until some responsibility was placed on the shoulders of those who were to command any particular unit. Let them give responsibility and power, and then dismiss their colonels or generals, if they could not keep their men, and he thought they would find a stop put to desertion. They had great and grave reasons to complain of their military authorities. They had received money without stint, and they had drawn an enormous number of recruits from the country, for which the country did not find any return. Why could not the War Office give them more men in the Reserve, when they were getting—as they, at all events, represented, so many recruits, and such good men? It was unfair to the nation to place it in such a state of risk. If we were to have one Army Corps sent abroad, it would draw away every one of our best men, and we should have nothing to fall back upon. That was the ruin of France in the last war. She sent away her Army and had no Reserve. Again, the difficulty of obtaining non-commissioned officers was a very serious and very important question. Unless a change was made, there would be great difficulty in creating or manufacturing our Reserve Force. At present we had not a single school in England for non-commissioned officers, although the magnificent building at Chelsea might well be used for that purpose. The old pensioners would prefer to go to their homes, and then the place might very well be turned into such a school of instruction. Some reference had been made to a paper in *The Nineteenth Century*, in which a comparison was made between the Armies of England in 1854 and 1878. He was amazed that any military man should make any such comparison, for he must know that in 1866 there was a military revolution in Europe. The change that had taken place in all military Powers must therefore be regarded from that point, and not from the point of 1854. They were bound to look at two things in making comparisons; first, our increased obligations in consequence of the increased territory and extended dependencies—not forgetting that the Indian Mutiny had obliged them to keep a larger force in that country than they did before that occurred; and, secondly; the enormous increase in the Armies of Europe. France, Germany, Italy, Russia, Austro-Hungary, had all increased their Forces enormously since that time; and, therefore, any comparison made between our Army now and what it was in 1854 was simply worthless, unless these points were taken into consideration.

Sir WALTER B. BARTTELOT thought his right hon. Friend had signally failed to show that they now had in their Reserves as many men as they ought to have been able to count upon.

They must remember that Lord Cardwell introduced an entirely new system, which required a considerable sum of money to carry it into execution, and they had never had the courage to spend the money absolutely necessary to put that system in a going condition. Many things had not been done which should have been done. Everyone who remembered the Crimean War and the crisis in 1870 would acknowledge that at those times we were in many respects totally and absolutely unprepared. It was said in 1870 that the £2,000,000 voted was for men; but everyone knew there was also a lack of preparation of material—of powder, for instance. He was glad to know that the country was now to be put into a much more satisfactory condition, not for going to war, because he sincerely hoped they would not have to go to war, but for any emergency, so that the Army might be ready with those necessary things which could not be got at a moment's notice. The condition of the Army as to medical men was not satisfactory, and he believed the reason was that the system was bad. They might not be able, perhaps, absolutely to return to the regimental system; but he was certain that at the present time they did not get the same class of men that they did formerly. The matter, he knew, was being inquired into; but, at present, no practical solution of the difficulty had been found. Then, as to non-commissioned officers. The greatest encouragement ought to be given to well-educated men to enter the Army and become non-commissioned officers; because it was upon those men that they must mainly depend to properly train their young soldiers, and every inducement ought to be held out to non-commissioned officers to remain. Again, as to the Reserves, the country had a right to demand the services of every man in the Force; but they found that many men did not appear to receive their pay; but had again fraudulently enlisted, as appeared by the Report of the Inspector General of Recruiting. In connection with this subject, he might mention that, in his own county, the police reported that the number of men lately discharged from the Army and entered in the Reserve who asked for bread tickets as they passed through the county was very considerable. That was not the class of men they had hoped to enlist into the Army.

They knew very well that trade was bad and employment difficult to find, and that there had been a large number of men out of work. Nevertheless, it was a fact worthy of the serious consideration of his right hon. Friend the Secretary of State for War, that such a class of men as he had described were going about the country asking for alms. He only hoped that the Reserves, when called out, might be unlike the Russian Army Corps at the time they were first embodied. When the Russian Army Corps were brought into action during the war between Turkey and Russia—now, happily, brought to a conclusion—it was reported that a large number of men had been killed in the first few engagements. Upon inquiry, however, it was found that those who were killed came under the description of "paper men," or men who had never been in the Army at all, but who had to be accounted for in some way or other. There was another subject which his right hon. Friend had not touched upon in the course of the statement he had addressed to the Committee. A regiment had just been sent out to the Cape —it was a most gallant and distinguished regiment. It was the 90th. When it was ordered out to the Cape, what happened? The regiment was quartered at Aldershot, and the authorities had to give orders that men from every regiment there might volunteer, so as to make the regiment up to its proper strength; and this was the first regiment for foreign service. In that way upwards of 250 men were obtained as volunteers, and they entered the 90th Regiment before it left for the Cape. Now, if the Secretary of State for War were to speak what he knew to be the fact, he (Sir Walter B. Barttelot) believed his right hon. Friend would own that the first Army Corps would be made up exactly in the same way. What became of the rest of these battalions that were left behind? This was a very serious question indeed, and he held that, if we sent Army Corps abroad, this country had a right to demand that the Reserves should be called out at once. The Secretary of State for War had tried the experiment before of calling them out, and with the greatest success, so far as the experiment went. A young officer with whom he (Sir Walter B. Barttelot) had travelled from the country that day, and who belonged to the 19th Foot, told him that one battalion of that regiment had 400 of these Reserve men allotted to it, and that they were as good men as could possibly be wished. The same officer observed that if the whole of the Reserves were of the same class as those who were called out in 1876, the country would have something to be proud of. With regard to the Reserves, what was practically desired was that the Secretary of State for War should know exactly where the men were to be found, so that they might be at once called upon in time of need. With that object in view, there should be some system established, so that no man could get out of the district in which he received his pay, without reporting himself to the authorities and getting a proper transfer to another district. Another topic, which his right hon. Friend had not touched upon, was the question of depôt centres — had they succeeded, or had they failed? The principle of the depôt centre was that it should be an organization by which the regiment should be localized, and the recruits, when they joined the regiment, should belong to the district where the men were when they entered the Reserves; but by the hand-to-mouth principle; at present carried on, no man really knew to what depôt centre or what district he belonged. Thus the whole system had signally failed or been wilfully broken down. These were absolute facts, and if his right hon. Friend would look them in the face, and do away with a considerable number of depôt centres, he would effect an improvement upon the present state of things. His right hon. Friend might have many more men at the different stations, bringing into drill with them the Militia and Volunteers, and thereby endeavouring to weld them into that harmonious whole which Lord Cardwell, when Secretary for War, contemplated, and which he (Sir Walter B. Barttelot) for one would be glad to see in this country under the depôt system. There was another point which he should like to mention before sitting down, and that was one which he was sure must be an object of congratulation to his right hon. Friend. It was this—Notwithstanding all the examinations and other difficulties that stood in the way, there was no country in the world that produced so many young men who were anxious to become officers in the Army as England produced. The examinations had, he thought, gone almost too far; but there was one feature of them which his right hon. Friend might well consider—namely, that although the highest marks had not been increased, yet the marks of those who passed had so far increased that, whereas formerly a man with 3,200 marks was certain of gaining a commission, 3,840 marks was the lowest number that succeeded at the last examination, when 90 commissions were offered. He hoped his right hon. Friend would see whether a man who had gained over 3,000 marks did not deserve some consideration with regard to obtaining a commission. With regard to the Militia, his right hon. Friend had spoken most encouragingly of that branch of the Service. He (Sir Walter B. Barttelot) could only add this advice—take the Militia at their own word, and they were, he believed, prepared as a body to enlist voluntarily for foreign service. If his right hon. Friend could get the Militia for the future to enlist not only for home defence, but to garrison our Colonies abroad, he would render good service to the country. His right hon. Friend had paid the Volunteers a compliment which, he thought, was not undeserved. The Volunteers were now becoming a much more efficient body than they had ever been before, because they had learned what discipline was; and, the more that discipline was encouraged, the better would that branch of the Service be. He must congratulate his right hon. Friend on the position which he now occupied so well; and he had no doubt, whatever remarks were made by hon. Members on the Estimates, they would receive that consideration which his right hon. Friend thought they deserved.

Mr. CAMPBELL-BANNERMAN said, his hon. and gallant Friend who had just sat down (Sir Walter B. Barttelot) seemed to have joined with those who had lately urged a reduction in the number of the brigade depôts. For his own part, he (Mr. Campbell-Bannerman) did not know that there was any particular virtue, either in the size or in the number of brigade depôts which existed at that time; but he thought his hon. and gallant Friend had somewhat disregarded the difficulty which would be found in reducing their number. The reason for their number was a very simple one—that an organization was found to exist in this country—namely, the organization by counties, and accordingly that organization had been in the main adopted; and he believed that if his hon. and gallant Friend had his own way, and the number were reduced, the Militia regiments would be brought from one county to another, not with ease, as was supposed by his hon. and gallant Friend, but with some difficulty. The same difficulty would be experienced in bringing the Volunteers a great distance from their homes for purposes of drill and discipline. It was all very well to talk about bringing them to drill with the Regular Forces; but these Regular Forces must be quartered where there were barracks for them, and that was mainly in the South of England. The removal of Volunteers and Militia to so great a distance from their own homes could not be effected, if proper regard were had to those feelings and sentiments which prevailed among Volunteer soldiers, and which it was absolutely necessary for us to keep in view. Therefore, he did not think that his hon. and gallant Friend was likely to persuade the Government to go very far in that direction; but there was no particular virtue in the present number; and if it were found necessary and practicable to reduce it, he knew of no reason why that course should not be adopted. The most important question, as indicated in all the speeches made by hon. Members, appeared to be the question of the Reserve, which was, after all, the keystone of the whole military system of England at the present time; and it was to him somewhat disappointing that the Reserve had increased at so slow a rate. His right hon. Friend had said that he contemplated 60,000 as the ultimate number that would be obtained, instead of 80,000 which had been originally anticipated. He supposed that his right hon. Friend had obtained his present information from the same source that supplied the estimate giving 80,000 as the number—namely, from the calculations of the War Office actuaries. It was to be remembered that the calculation of 80,000 was based on certain conditions which had never yet been fulfilled. For one thing, it had contemplated enlistment for short service in the Artillery, the Cavalry, and the Engineers, which condition had been introduced only in small proportions; and it was very likely that there had been left out of the account casualties under the heads of discharge and desertion which might have occurred to a greater extent than was anticipated. The least change in the period of service in India must materially affect the number of the Reserve men obtained, so sensitive was the apparatus by which the Reserve was created. But he found, in the latest statistical account of the Army, that up to the end of 1876, the number enlisted for short service was 81,562. Making a large allowance for men who had died, deserted, re-engaged, and so forth, there must surely be a considerable proportion of those 81,562 men, that would pass into the Reserve before the final expiration of their term of service. Therefore, those who looked into the matter, and considered how slow the process must necessarily be, would not think there was much reason to be discouraged by the result. His hon. and gallant Friend (Sir Walter B. Barttelot) had thrown out a challenge to him with reference to the expenditure which had been incurred upon the system introduced by the late Government. He was not quite sure what system his hon. and gallant Friend alluded to, nor did he understand his complaint. The complaint of his hon. and gallant Friend was, that the late Government had introduced a system, but had not the courage to ask for the full amount of money that was necessary to carry it into effect. Formerly, they had been charged with asking for a good deal of money, and having very little result to show for it; but now, for the first time, they were told they did not ask for money enough. But his hon. and gallant Friend probably meant that there was a deficiency of stores for the equipment of an Army in the field, and that the right hon. Gentleman the Secretary of State for War now had an opportunity to fill up any deficiency of that kind out of the Vote of Credit which Parliament had granted. For his own part, he preferred that such a deficiency should be filled from Supplemental Estimates rather than from a Vote of Credit. But he must say, in justification of the past, that at the time to which his hon. and gallant Friend referred—namely—in 1870, there was only £440,000, out of the Vote of Credit then taken, spent upon stores; and, if the sum was not more than that, it was because there were a great many patterns not decided on at the time. In the following year there was an expenditure of £1,800,000 when the patterns were decided on, and since that time there had been a gradual reduction in the Vote, which reduction was continued by the present Government some time after they had come into office—namely, during the first two years. There was, therefore, a guarantee that there was no such depletion of stores and starving of the Store Vote as had sometimes been attributed to the late Government. But if the Store Vote, granted year after year, had, as his hon. and gallant Friend seemed to think, failed to supply the Army with everything that was necessary for the active operations of war, the right hon. Gentleman had now an opportunity, at all events, of making up that deficiency, which, no doubt, he would not be slow to avail himself of. There were two questions to which the Secretary of State for War had alluded that called for some remark. The first was with respect to the Paymaster's Department. He had himself no fault to find with the admirable Paper of his hon. and gallant Friend (Colonel Stanley), or with the conclusion at which the right hon. Gentleman had arrived; but he confessed that he was still a little doubtful whether the class of ex-combatant officers would afford the best Paymasters for the Military Service. When the Committee were told that it was a very good means of supplying retirement for officers, he thought it might be open to doubt whether it would be so when the regimental connection ceased. It was probably the fact that the Paymaster became substantially a member of a regiment, and continued his regimental position very much as he held it before. That formed the inducement for combatant officers to accept such positions; and the inducement would be less when he found himself a member of a Department, and therefore liable to be transferred from one duty to another. He did think that there would have been some advantage in making the Paymaster's Department a civilian department interchangeable between clerks of the War Office and accountants on active service; so that gradually the officials of the War Office would have a practical experience of the operations which they were supposed to control; and, at the same time, those who acted as accountants at the different military stations would have a corresponding knowledge of the War Office system. But he was quite willing to admit that there were difficulties in the way, and that the arrangement proposed by the right hon. Gentleman was, on the whole, satisfactory. With regard to the surgeons, he would say a word or two, very much of the same nature as the observation which he had just made. He believed that the great attraction which the surgeons now missed was their connection with the regiment, being substantially regimental officers, wearing its uniform and identified with it. Of that attraction they had now been deprived. But it should be remembered that, after all, the average period of a surgeon's service with a regiment, under the old regimental system, had been found to be less than five years; so that, for all administrative purposes, and for purposes of efficiency, he did not believe that the present system of a unified department, and of attaching a surgeon temporarily for a five years' period to a regiment, would at all lead to less efficiency than heretofore, or that less assistance would really be given to the colonel in the management of his regiment. In conclusion, he had only to express his pleasure at hearing that the right hon. Gentleman contemplated Manœuvres in the autumn. He was quite aware of the difficulties in the way, more especially as Salisbury Plain was the only place in the United Kingdom where Manœuvres on a large scale could be properly conducted. There was prevalent a popular idea that Manœuvres of this character might be held in any part of the country; but, as a matter of fact, there were only three or four places where they could be carried on at all; and Salisbury was absolutely the only place where they could be managed on any great scale. Although it would not be advisable to inflict such a trial on that district too often, he was glad to hear that the right hon. Gentleman contemplated a repetition of the experiment which had been tried in former years.

SIR ALEXANDER GORDON said, there was one point in the right hon. Gentleman's speech which he wished the right hon. Gentleman had dwelt on at greater length—namely, the working of the system of linked battalions. It would be in the recollection of the Committee that that system was adopted on the principle of having an equal number of battalions at home and abroad; so that one battalion at home might relieve the other abroad. In order to arrive at that system, the Colonial Service had been reduced by two regiments, so as to equalize the numbers. Two regiments were accordingly brought home from the Colonies, in order that there might be a similar number at home to relieve them. That was the way in which the numbers just alluded to by the hon. Member were arrived at. Last Session, he asked the right hon. Gentleman whether that system was working well, and whether any difficulty had arisen in carrying it into effect. He was then assured that there was no difficulty. It would be found on page 12 of the Army Estimates for this year, that the number of battalions at home were 64; while the number of battalions abroad had necessarily been increased to 77. That meant an entire destruction of the system of relieving one battalion abroad by its corresponding linked battalion at home. It appeared to him, as it had appeared to many other officers before, that the system was one which could only work in times of profound peace, and that when anything occurred abroad to put an end to the ordinary state of things it must break down. With respect to the observations of the hon. and gallant Baronet the Member for West Sussex (Sir Walter B. Barttelot), as to the Army being placed upon an efficient footing by the Vote of £6,000,000 which had lately been granted, it appeared to him (Sir Alexander Gordon) that if they were to have an Army in an efficient state for service it would be necessary permanently to increase the annual Army Estimates, for it was most inconvenient and objectionable to be obliged to resort to a Vote of Credit whenever they were required to send one or two Army Corps abroad. England ought, he imagined, to be able to send an Army Corps abroad without having recourse to the unusual step of asking for a Vote of Credit, which created alarm not only at home, but in Europe, and all over the world.

DR. LUSH thought there could be no doubt that there was an increasing indisposition on the part of medical men to enter the Army. He did not know to what cause that indisposition was attributable, but the fact was a grave one; and, therefore, he hoped that the right hon. Gentleman the Secretary of State for War would continue to give the subject his best attention, with a view to discover if there was any grievance that could justly be complained of, so that it might be remedied. The right hon. Gentleman had very fairly stated that the scheme which he had introduced was still on its trial; but he (Dr. Lush) believed that up to the present moment the right hon. Gentleman had no reason to suppose that it would really be successful. It had made no sensible difference in the number of candidates who were willing to enter the Service; and, looking to the critical state in which this country had recently been placed, he thought that it was a most serious matter that their Army should go abroad undermanned with respect to its Medical Staff. The right hon. Gentleman had that night paid a high compliment to that Staff, indirectly, in his Statement as to the low mortality which existed throughout the Army in the United Kingdom and their great dependencies. That was a proof that the medical officers of the Army did their duty, and he deeply regretted that any circumstances should exist to prevent that Service being adequately filled. The right hon. Gentleman had stated as a probable cause, that there was a deficiency, generally, in the number of persons entering the Medical Profession. He (Dr. Lush) did not know whether he was justified in alluding to what had recently taken place; but a procession of 3,000 medical students came down to that House not very long ago, and one would have imagined that, with such warlike tendencies as had been attributed to them, there would have been no indisposition on the part of some of them to enter the Army. He might mention, also, that in his own county there had recently been an election of a medical officer to the County Asylum, when no fewer than 56 applications were made for that appointment. Therefore, he did not himself believe there was a less number of young men desirous to enter the Medical Profession now than at any former time, and he hoped this question would receive careful attention, in order to see whether some means might not be discovered to remedy what he considered was a very unsatisfactory state of things in connection with their Army.

COLONEL ALEXANDER wished to say a few words in reference to the new species of offence committed by men of the First Class Army Reserve in re-enlisting into the active Army. He believed that there was a great indisposition on the part of employers of labour to take into their service men who were in the First Class Army Reserve. When employment was refused, the men were often driven to re-enlist. He had been informed of the case of a man who, having passed six years with the colours, was, in due time, transferred to the First Class Army Reserve. He then endeavoured to obtain employment from different employers of labour; but they all refused his services, and the consequence was that he was driven to re-enlistment. That man was tried and convicted by court martial; but by the intercession of a general officer, who knew all the circumstances of the case, the whole of the sentence was, he believed, remitted. That was a very important point, which he would recommend to the attention of the Secretary of State for War. There was another point which he should like to put to the right hon. Gentleman with reference to the First Class Army Reserve. Was he aware that a great many men belonging to that Reserve were now serving in the Metropolitan Police Force? He had no objection to their doing so; but what he wished to know was, whether, in the event of war, the First Class Army Reserve men of the metropolitan police would have to go to the wall? It would be very desirable that the First Class Army Reserve men should attend one parade on some particular day of the year. He knew that there was great difficulty in withdrawing them from their usual avocations; but would it not be possible, within their respective districts, to make them attend one parade—say, for Divine Service on some particular Sunday in the course of the year? He objected to what he must call the premature transfer of men into the Reserve, as he believed that the effect of it was to weaken the active Army, while it did not materially strengthen the Reserve. He would prove this statement by quoting from the Report of the Inspector General, wherein he stated—

> "There is no doubt that in a large number of cases recruits for enlistment have over-stated their real age, and consequently a number of immature lads have been enrolled in the Army."

That being the case, what was the Government doing? Having too many immature lads already, they at once proceeded to take a great many more, in order to fill up the places of those comparatively well-seasoned men whom they had prematurely enticed into the ranks of the First Class Army Reserve. He mentioned the case of a soldier who had received a good education, and who, in an evil hour, had been induced to enter prematurely into the ranks of that Reserve. Within a few days after leaving his regiment, that man came to him, still wearing its uniform, and told him that he was actually in a state of starvation, and that he would give anything to be able to return to the ranks of the battalion which he had only quitted a few days previously. He considered that to be a most unsatisfactory state of things. He was very glad, therefore, that the order allowing these men to pass prematurely into the ranks of the Reserve had been suspended, and he sincerely hoped that it might never be renewed. No doubt, a question demanding a solution was to how to obtain a supply of good non-commissioned officers. The hon. Member for Hackney (Mr. J. Holms) had suggested the establishment of a school where non-commissioned officers might be trained, and thence passed into various regiments; but he did not think that the hon. Gentleman's plan would commend itself to the British Army. He (Colonel Alexander) had always thought that the non-commissioned officers of their Army must rise from the ranks of the regiment in which they originally enlisted, otherwise they would never take root in, or amalgamate with it. He had been speaking with several old and experienced non-commissioned officers lately, as to what they would recommend as a further inducement to young men to qualify as non-commissioned officers, and he had found that they generally pointed to an improvement in their prospects in regard to pension. At present, except under very special circumstances, a non-commissioned officer was not entitled to a permanent pension until he had completed 21 years of service, when he would be 40 years of age, or close upon it, and at that age he could not very easily obtain employment in civil life. But give that man a permanent pension after 16 or 18 years' service, and this evil would, to a great extent, be met. But the great point was to open to these meritorious men the avenues and portals of the public service. No doubt a great deal had been said, and said with truth, as to the difficulty of finding employment for the uneducated soldier in the public service; but surely this objection did not apply to the educated non-commissioned officer. He commended the subject very respectfully and earnestly to the right hon. Gentleman for his consideration, feeling assured that nothing more important, or bearing more directly upon the interest and efficiency of the Army, could possibly engage his attention.

Sir HENRY HAVELOCK did not propose to detain the Committee at any great length; but one or two remarks had fallen from hon. Members who had taken part in this discussion which he was unwilling to let pass unnoticed. He was glad to hear from the right hon. Gentleman the Secretary of State for War that he proposed in the course of the forthcoming summer to call out a portion of the Army for Manœuvres. There was a certain amount of confusion in many minds about the Army Corps, which ought to be cleared up. His hon. Friend the Member for Hackney (Mr. J. Holms), than whom no man in that House had paid greater attention to the subject, and whose remarks they listened to with the greatest interest, seemed still to be under the impression—which, perhaps, prevailed in other quarters also—that the organization in *The Army List* was one intended for foreign service. It was very desirable it should be known that the organization which stood as the eight Army Corps in *The Army List* was one intended for defensive purposes; and although an Army Corps that would be sent abroad—if, unfortunately, the occasion should arise—would, to a certain degree, be composed of the same troops, yet, for the purpose of foreign service, the organization would be entirely distinct and separate. His hon. Friend had said that if the Army Corps at home were never to be made use of, they had better be done away with; but he (Sir Henry Havelock) failed to perceive that there was any evidence that they might not be made use of, or that they were at all defective, except in minor details. He thought that if they had to send an expedition abroad, it would be a great mistake to contemplate sending less than two complete Army Corps; and he was afraid that there was some reason to believe that such an idea had entered into the contemplation of the authorities. They had the complete machinery for sending two entire Army Corps. They had the men and the guns, and, if not the transport, it could shortly be supplied. In these days, a blow to be inflicted with any chance of success, must be struck by the largest number that could be placed in the field at once; and, therefore, to send out for any expeditionary purpose abroad one Army Corps alone would be to repeat the mistake, and in some degree the disasters of the Crimean War, without the same excuse, inasmuch as they had now what they had not then—the men, guns, and machinery. Should an Army Corps be called out this Autumn, he trusted that the right hon. Gentleman would do his best to put it as far as possible on the same footing as for service abroad; and this, as the Committee was well aware, had to be done by two distinct measures—namely, by calling out the Army Reserve and the Militia Reserve. Some doubt was still expressed by a few hon. Members as to whether the men of the Army Reserve would come out if they were called upon to do so. He should have thought that the experience of two years ago would have dispelled that doubt. He could not concur with his hon. Friend behind him (Mr. J. Holms) in thinking that the progress made by the Army Reserve up to the present time was inconsiderable. On the contrary, the numbers which the right hon. Gentleman had given that evening agreed almost exactly with some calculations which he himself made three years ago, and there was every reason, he thought, to be satisfied with the progress which the Army Reserve had made. It was never contemplated that in 1878, when the system had been in existence only 18 months, they should have a larger number than some 12,000 men, and if the Army Reserve numbered 44,000 in 1883, and 60,000 two years later, it would answer the expectations with which it was projected. With respect to calling out a portion of the Army Reserve men this year, he would suggest that such of those who had passed into the Reserve within the last 12 months, and had obtained employment in civil life, should be allowed to remain where they were, and that only those should be called out who were not called upon two years ago. But, as to the Militia Reserve, the case was totally different. Its establishment was supposed to be 30,000 men. He was concerned to see that they had fallen a little short of what they were last year, though he was persuaded that the falling-off was attributable to some accidental cause which a little more inquiry would probably bring to light. He did not think any better plan could be adopted than that of calling out such men of the Militia Reserve this year, as in the link system were associated with the Line regiments that would be called out. The country would see that it had a Reserve, and the men would benefit by the training, besides which something would be done to form a closer connection between the Militia and the Line. The right hon. Gentleman had alluded to the paucity of non-commissioned officers; but he would remind him that amongst the various inducements, which had been proposed as a remedy for this evil, there was one which he had not yet tried. The Committee which sat last year and the year before had recommended that a certain number of appointments in the Civil Service, estimated at some 6,000, should be thrown open to the non-commissioned officers and the better soldiers of the Army as soon as possible. From an answer which the right hon. Gentleman had given earlier in the evening, he knew that he was engaged in bringing that subject under the consideration of his Colleagues. But he would suggest to him that the importance of this subject could not be overrated, since, at the present time, no other reasonable solution seemed to present itself, but to carry out the recommendations of that Committee, and inaugurate a system which, in the future, might lead to the best results by causing promotion to the rank of a non-commissioned officer to be regarded as the first step towards permanent civil employment, when he was discharged from the Army. While great consideration had been given to the Infantry and Artillery, the Cavalry, by some extraordinary oversight, seemed to have been omitted from their calculations. They had nine regiments of Cavalry in India and 19 at home. Those regiments were, as regarded individual instruction, and the efficiency of the men and horses, unsurpassed by any similar Forces in the whole world; but they had this fatal defect, that they were very small in numbers, and had no Reserve whatever behind them. As regarded the Artillery and Infantry, this defect had gradually been remedied by the measures which had been successively brought forward; but, up to the present time, nobody seemed to have contemplated that which would be the first thing to happen to us on active service —namely, a vast diminution in the number of the Cavalry arm, with no Reserve of men to supply them. There ought to be at all times a fifth squadron on foot, the horses of which should be turned over to the field squadrons, fresh horses being brought up when required from the Reserve. He did not know whether he had misunderstood his hon. Friend behind him, but he should be very loth to let it go forth to the world, that if we sent one Corps forth, we should not have one man left in the shape of Reserve.

Mr. J. HOLMS: I said, if you sent a Corps of 60,000, you would not have a second Force to send out after that.

Sir HENRY HAVELOCK said, he found from Returns to that House, that if it was unfortunately necessary that we should send 60,000 men abroad, we should have remaining at home something like 30,000 Infantry, which would form the nucleus of another Corps of 60,000 men, to be sent out a few weeks afterwards. It would be unfortunate, indeed, if anything was said in that House—although year after year they might criticize—it would be unfortunate if anything was said to show that the Forces of this country were not in a state of efficiency. At no time had the forces of this country been so efficient as at this moment. The Secretary of State for War deserved the credit of having loyally carried out the ideas of his Predecessor, and that, after close examination to see whether they required it or not. He had not, in the slightest degree, altered anything he found good. In four respects our position now was vastly improved to that of six years ago, and on all these four points we were reaping the fruits of the reforms begun by Lord Cardwell. Our Artillery was double what it was six years ago. The brigade depôts had worked a great change in our military system, and had gradually united our Reserves into one harmonious whole. In consequence of the system of garrison instruction, begun in 1871, we had now a set of young officers unsurpassed by any in the world, thoroughly trained in all the duties of their profession. We had now, moreover, through the system of Reserves, also commenced in 1871, some 40,000 additional trained soldiers ready for the ranks at short notice, if required.

General SHUTE would especially congratulate his right hon. Friend on his most satisfactory Statement. There were only two difficulties left. One was that of too young soldiers, as to which he agreed that the remedy was most difficult. The other was securing a Reserve, which at present he feared that he must look on as more or less a myth. They had also heard a great deal about the difficulty respecting doctors and others; but his task was, to bring under the notice of the right hon. Gentleman the case of hard-worked officers of Cavalry—namely, the riding masters—whom he asked should be put in the same position as regards retiring pensions as combatant officers who were promoted from the ranks. The cost would be most trifling, merely the difference between £182 a-year and £200 in money. Then, he had one other remark to make, as regarded field officers of the Army and superior officers. He quite agreed with what was said at the beginning of this century by Sir John Moore, and it was equally applicable now, that it would be unadvisable to increase the pay of officers of the Army. He was of opinion that we should ruin the Army if we did. At the same time, it was unfair to make too many reductions. Field officers of Infantry lost 8*d.* per day for each horse they kept for the public service. He believed many officers were given forage to whom it was quite unnecessary to keep horses at all, The officers who were obliged to keep horses — brigadiers, brigade majors, who were obliged to keep horses—ought not to be out of pocket. Then, as to household expenses; a brigadier was allowed £150, and a colonel £100 per year in places where they could not get houses for less than £340 per year. Their house rent allowance ought to be increased. It was illiberal and unfair on officers of the Army. He must express his satisfaction to the Secretary of State for War that we were to have Autumnal Manœuvres on a large scale this year. We knew that Prussia had 40 years of peace, and showed herself more than a match for the French, who had had war experience in Algeria. Military science could not be learned by fighting very inferior troops, or any games of science by playing with bad performers. Algeria had been but an indifferent school for France, the Caucasus for Russia, nor will our small wars with savages fit us for competing with great European Powers; and he hoped that after this year we should continue the system of Autumn Manœuvres, which did give real and valuable instruction, and he hoped that if we sent an Army into the field, they would be under the command of general officers who were practical as well as theoretical commanders. The hon. and gallant Member for Leitrim (Major O'Beirne) had said that one cavalry officer could not command ten men. That was an unfortunate remark at the present time, because we had the best Cavalry officers we ever had. Not to mention others, there was Colonel Stewart, who was an able and most painstaking officer, and a bright, social example to the officers and young men under his command. With regard to qualification, he knew that no captain of Cavalry would ever be promoted who was not fully competent for his command.

SIR THOMAS ACLAND felt that no civilian should touch on military matters without apology; but a good deal had been said that seemed to bear on the more humble branches of the Service with which he was connected—the Yeomanry and Volunteers. He might have said once the Mounted Rifles; but these had now become extinct through no fault of their own, nor through any fault of their officers. Now, the point which he wished to say a word about was the question of instruction to the various Services. He did not pretend to be able to speak with any authority of the Regular Forces; but it might be permitted to civilians to watch the experience of eminent officers at Aldershot and elsewhere, and he hoped he was not presumptuous in saying that no one felt more than he did the immense improvement that had taken place in the English Army since the abolition of Purchase. He could recollect, now, many years ago, when a young officer in one of the finest regiments of the service, told him that it was quite absurd for a young officer to think of studying a campaign. He did not think you would get a young officer to say that at Aldershot now. He would be much more likely to be laughed at by his brother officers if he did. He might quote the opinion of distinguished officers in the English Army, when he said that there was one point on which we had yet to learn from foreign soldiers, and that was, that the instruction of our men was not sufficiently committed to young officers of the Army. He believed that our regiments were too much instructed by the adjutant and one or two non-commissioned officers. He would not enlarge on the subject; but he thought it his duty to mention it in the House of Commons, because it had been a frequent subject of conversation. He believed it was the duty of a Secretary of State to provide something like a normal school of instruction for those who were to instruct others. As regarded the Yeomanry, the point that he had mentioned was of the utmost importance. It was not a right way to teach men of that kind, to set a drill sergeant to gabble to them and waste their time. Earnestly he hoped that the War Office would take steps to give the soldiers better instruction. He knew it was the opinion of many officers that there should be established at Aldershot, or some other place, some means of normal instruction such as were established for school masters, teaching them how to teach. If it was admitted to be necessary to teach the masters of elementary schools how to teach, was it not equally necessary to do the same for those who taught the difficult art and science of war. He felt sure, also, that on his side of the House hon. Members did not begrudge the expenditure necessary to keep the best non-commissioned officers in the Service. He would venture to say that, in his opinion, any well-conducted non-commissioned officer of nine or ten years' service ought to be better paid than a young gentleman who had just left Eton. If they found that they were better paid, they would not, perhaps, be so eager to pass into the rank of commissioned officers. Not but that he was sure that they were gallant men, rising from the ranks—gentlemen, as they frequently were, whose condition as non-commissioned officers in the Army ought to be very much improved. There was one point connected with the Yeomanry that he would like to speak about. He was almost the only Member of Parliament who attended a meeting of Volunteer officers the other day. Remarks were made on the small number of Volunteer Cavalry. A number of farmers were accustomed to ride their own horses, to go across country and to shoot rabbits. Had the masters of fox-hounds been persuaded to take up the subject of Mounted Rifles, we should have some of the finest irregular Cavalry in the world. The practical suggestion made by an officer of the Yeomanry, who had taken great trouble to learn his work, was to allow men who had served two or three years, and passed their drills, to be allowed to join their regiments for four days instead of eight consecutive days. He would say one word of what had occurred at the meeting of Volunteer officers. He had been connected with the Volunteer Service 18 or 19 years; but he had never been favourable to attempts on the part of the Volunteers to get more money than the Government had paid them. He had always thought it desirable that the Volunteer Force should be an inexpensive Force to this country. But he would not resist the evidence, that the general testimony of Volunteers who had attended from all parts of England to give their experience, was that the Volunteer Force was out of pocket to the extent of their necessary materials and equipment. He did not know much about town Volunteers, but he did know something about country Volunteers. He had been in camp and had done his best to meet the circumstances of the case; but it required a great deal of care to keep Volunteers in camp together at all. Camps were essential to give better discipline to the Volunteers; but it was perfectly impossible to conduct camps on the present allowance of the Government, even on the most economical system. The particular brigade-colonel under whom he served had assisted the Volunteers in forming their camps, and when formed had advised the officers what to do and how to do it. Furthermore, he had visited the camps from time to time while the training was in progress, in order to see how they were getting on, and, without interfering with them, and had paid final visits at the end of the time for which the camp was fixed, in order to see how the whole work had been done. If this had not been the universal practice of the colonels of brigade depôts, it was time for the generals of the districts, or, failing them, the Secretary of State for War, to see that it was adopted.

Major O'BEIRNE could not admit that Cavalry officers were fitted to command Infantry brigades, in that they knew nothing of Infantry drill. He was therefore at a loss to see of what particular use their services could be in time of peace. His own view was that it would have been less injurious to the interests of the public to have provided them with good service pensions, instead of being put into commands they were unfit for. He quite agreed with what had fallen from the hon. and gallant Member for Brighton (General Shute) in reference to the riding masters in Cavalry regiments. In the first place, they were most inadequately paid while they remained in the Service, and in the second, they received most inadequate retiring allowances when they left it. They were most valuable officers, and their services could not, under any circumstances, be dispensed with.

Mr. GATHORNE HARDY said, he had occupied so much of the time of the Committee in his introductory statement, that he should reply very briefly to the questions that had been put and the points that had been raised in the course of the debate. He would, however, before going into the general subject, remark that a little too much had been said about his having expressed his satisfaction with everything that had gone on in the Army. In the course of his observations, he had not attempted to conceal the defects of the Army; but, with that qualification, he had spoken favourably of it, as far as he had found its work to be well done. Where he deemed amendment to be necessary, he had not scrupled to say so. The hon. Baronet the Member for North Devon (Sir Thomas Acland) had referred to the mode of Cavalry instruction, a question concerning which there had been many disputes. He could not help thinking that if the commissioned officers were thoroughly well-trained to look after the non-commissioned officers, they would by that means get a school actually and literally on the spot at which the work had to be done. At the same time, he could not help thinking that sometimes a non-commissioned officer, coming from another regiment, might displease, to a certain extent, men unaccustomed to a sharp tone, while the ordinary soldier would care little or nothing about it. With regard to the non-commissioned officers, the hon. Baronet must do him (Mr. Hardy) the justice to admit that he had considerably increased their pay, and he felt quite sure that in case of emergency neither the Committee nor the House would grudge any sum of money that might be necessary, in order to secure for every branch of the Service really good and sound non-commissioned officers. Good officers of these grades were absolutely essential to the well-being and discipline of the Army. As far as he understood the main desire of the hon. Baronet, it was for a sort of Yeomanry Reserve, consisting of men who had been in the Service for a long time, and who, in busy seasons on their farms or in other ways, might be allowed to dispense with a part of their days of training. The system of short-time would give a sort of Reserve; but he would not then enter upon the whole question, as it was likely to be raised in connection with the Vote for the Volunteers, many members of which Force wished to be considered as a Reserve, though not to be called upon for their full duties. He thought this a very laudable desire, and he was very much inclined to encourage it. But, at the same time, he should be sorry to count such a man as was mentioned by the hon. Baronet (Sir Thomas Acland) as being really a yeoman and belonging to the regiment. This, however, was a point of detail belonging to a question which, as a whole, was well deserving of consideration. With regard to the Volunteers, he would only say that the question had been fully considered on the basis of the data laid down by the meeting to which he referred earlier in the evening, and he should, on a future occasion, be able to say something on the subject, which he could not do at that juncture. With regard to the points raised by the hon. and gallant Member for Brighton (General Shute), they were matters which the same gallant Gentleman had already brought before the War Office, and at present he was not able to say anything further concerning them. The hon. and gallant Member for Sunderland (Sir Henry Havelock) seemed to entertain somewhat curious views in relation to foreign service. He said that less than two Army Corps ought never to be sent out of the country, and that such Army Corps ought never to work separately. That was all very well, and embodied a noble sentiment; but, while circumstances might arise, or exist, where two Army Corps were not necessary in any one particular place, it might also happen that a larger force was required in another place — and, having sent too many men to one point, there would not be sufficient left to meet emergencies arising elsewhere. For instance, it might only be necessary to occupy some particular post which could be held as well by 10,000 as by 20,000 men, and therefore it would be out of the question to lay down a hard-and-fast rule that not less than two Army Corps should be sent out of the country at one time and to the same place. With regard to the readiness of the Army for service, he could only repeat that the country was in a position, without having to take any extraordinary credit, to send out at once one Army Corps, and that a second could be prepared very rapidly, it being only necessary to fill up the ranks of the young battalions with men of greater age. Our Reserves were not like those of foreign nations; they could not be called out on the instant as soon as they were wanted; the Statutes under which they existed contemplated before they were called out a great emergency, which it would not be politic unnecessarily to create, because by so doing the Army Reserve would be practically destroyed, as a Reserve, before the occurrence of the emergency which it was established to meet. It would in all cases be necessary to go to regiments low down on the roster in order to make drafts of men to fill up the numbers of the regiments wanted for abroad. With regard to linked battalions, there could be no doubt that if it was intended to keep them permanently in one place, it would be necessary to have a third battalion at a neighbouring brigade depôt in order to feed the weak battalions. In addition to this, the Militia could be called out separately and embodied; but this was never done, unless it was absolutely required. It would, no doubt, be valuable to call out the Militia Reserves and drill them with the regiments with which they would have to serve; but, as he had said, they could not be called out separately except in cases of great emergency. The question of the appointments of non-commissioned officers was one of great importance, and one that would have to be discussed in the House. A good many efforts had been made in the direction; and he could say for himself, although in his present office he was almost without patronage, except as to messengers, he had had every vacant messenger's place filled up by the appointment of non-commissioned officers. With regard to the Reserve men, there was without doubt great difficulty in calling them out unnecessarily, and it would be very unwise to do so in the case of men who had recently joined the Reserve and got into situations of employment. But the residence of every man in the Reserve was known. The staff officers of the Pensioners became acquainted with every one of their residences; and he could say, with perfect certainty, as the result of an inquiry made very recently, that more than five-sixths of them were found to be in regular employment. He was bound, however, to add that some of them found great difficulty in getting employment, which was a most unfortunate thing. Many of the railway companies and large business firms set their face against employing these men. It was very disheartening for men who had just left the Army to find themselves face to face with this difficulty; and he hoped that with the patriotic feeling which all employers ought to have towards a Reserve Force of the kind, they would sacrifice a little in order to encourage the endeavours of the Reserve men to earn honest livings—even though they were liable, under special circumstances, to leave their work and return to the Profession of Arms in the defence of their country. With respect to what had been said as to many of these men being engaged in the Metropolitan Police, he should consider that the retainer paid to the Reserve men over-rode the regulations of the Police Force, and he should be compelled to try a Metropolitan policeman for desertion, if he did not answer the call when it was made upon him to turn out for duty with the Reserve to which he was attached. He was sorry that objection had been taken to his letting three-years' men go into the Reserve; because, if he had stopped recruiting, it might not have been renewed, and it was a bad thing to put a stop to recruiting when a very good class of men were coming in. At a time when it was possible that there might not be a great supply of men wanted, he was able to effect an addition of two men whenever a recruit was enlisted; because his enlistment released for the Reserve a man who could come back in the following month if his services were required. He was afraid that he and the hon. Member for Hackney (Mr. J. Holms) could not agree. The hon. Member had a theory which did not correspond with the practice of the British Army. He (Mr. J. Holms) had learned his theory in the school of conscription and of local armies, which could not be applied to the case of this country. The objection to the system of defensive organization which the hon. Member so much admired, was that it could not be applied to this country. The countries to which the system of local armies was applicable were very differently situated from this country. They had not to send their men to Colonies, to India, or to garrisons in the Mediterranean, but in case of those armies, when one body moved forward, another took its place. Our Reserves were not of that kind at all. The whole system was altogether different. He could not argue further with the hon. Member on the subject of deserters, as long as he persisted in describing as deserters all the men whose names appeared in *The Hue and Cry.* Whenever a man had been absent from duty for 21 days he was advertised, and almost invariably returned to his regiment, so that he was not a deserter at all. Again, as he had said before, men stayed away either in consequence of some engagement or fascination; but they eventually gave themselves up, and submitted to their trial, never having intended to leave the Army at all. Such men should be dealt with leniently, reserving the severe punishments for such men as were flagrant deserters.

Sir THOMAS ACLAND hoped his right hon. Friend opposite would not adhere to his view—that yeomen who wished to leave their homes for fewer consecutive days were only a sort of Reserve, and not yeomen in the true sense of the word. They would all be men who had performed their troop drills, and would, in fact, be among the oldest and most efficient men in the regiments.

Major NOLAN thought the present year was one in which, whether they went to war or not, they might advantageously take stock of the Army. One important point was that referring to the age before which men should not be enlisted. There was no particular magic about the age of 20; but it was the one almost universally adopted on the Continent, where it was found to work well. The real remedy for the existing state of things was to give a larger amount of pay, and this remedy would sooner or later have to be adopted. The Secretary of State for War had done much for the Army; but he had not as yet fulfilled all the promises made from time to time, particularly with regard to raising men to acting rank. In reference to the suggestion of the hon. and gallant Member for Sunderland (Sir Henry Havelock) to send out two Army Corps, he (Major Nolan) could only say that he looked upon such an organization as most vicious in its character. Any number of men under 100,000 strong was too small for organization in corps. The Duke of Wellington always adopted divisional organization; and, no doubt, his theory was sound, for it agreed with the view of all military writers who strongly opposed an organization consisting of two wings without a centre.

Vote *agreed to.*

(2.) £4,572,000, Pay and Allowances of Land Forces, *agreed to.*

(3.) £49,300, Divine Service.

Mr. PARNELL pointed out that no details were given of the allowances to officiating clergymen, although full particulars were set out as regarded the pay of chaplains. He wished to ascertain the circumstances under which this money was paid, and for what services; also, how much was paid to each clergyman?

Mr. GATHORNE HARDY said, the form adopted in the Estimates was the usual one. Officiating clergymen were paid by capitation, and therefore the grant was in respect of work actually done. Each clergyman was paid so much a-head for soldiers that attended service, under a regulation scale. He regretted the information in the Estimates was not more detailed; but he could assure the hon. Gentleman that there was no desire to keep information back.

Mr. O'REILLY said, that officiating clergymen were paid by capitation grant, as the Secretary of State for War had stated, and the regulations under which these allowances were made were published. The allowances varied, and increased or decreased in amount according to the number of soldiers attending service, and they were made upon the quarterly certificate of the clergyman, which was furnished to the commanding officer.

Vote *agreed to.*

(4.) £28,600, Administration of Military Law.

General SHUTE said, he hoped he had correctly understood the Secretary of State for War to say that he intended to appoint a Committee on this subject. He hoped if the Committee were to be appointed, it would meet as soon as possible, and its assembling not be postponed until after Easter.

Mr. GATHORNE HARDY said, he quite adhered to his intention to appoint a Committee to consider the subject.

Vote *agreed to.*

Resolutions to be reported *To-morrow.*

Committee report Progress; to sit again upon *Wednesday.*

ORDERS OF THE DAY.

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WEIGHTS AND MEASURES BILL.

(*Mr. Edward Stanhope, Sir Charles Adderley, Mr. Attorney General.*)

[BILL 111.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr Edward Stanhope.*)

Mr. PARNELL said, he thought it unreasonable to expect the House to proceed with it at such an hour—10 minues past 12. He had put down a Notice on the Paper in reference to the Bill, with the object of securing its being brought forward at a time when the whole subject of weights and measures could be adequately discussed, and when the House might consider how far it might be desirable to adopt the metrical system for measures of capacity, and the decimal system for weights. He moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Parnell.*)

Mr. E. STANHOPE hoped the House would consent to go on with the Bill, which was, in the main, a measure of consolidation. Only such Amendments to the existing law as were absolutely necessary for certain purposes were included in the Bill, and they were explained to the House much more fully than he could detail them in a speech, in a Memorandum which had already been circulated among hon. Members. He hoped the House would consent to affirm the principle of consolidating all the numerous Statutes on weights and measures, leaving to a future time any discussion on the details of the Bill. The hon. Member for Meath (Mr. Parnell) had referred to the metrical system, and the interest felt by the hon. Gentleman on the subject was shared by many hon. Members who, however, in speaking to him on the matter, had felt that there was no reason why the principle of the Bill should not be affirmed by giving it a second reading.

Mr. MUNTZ would be sorry to offer any opposition to a Bill which had been explained to be one mainly for consolidation; but considered that it would be much to be regretted if, in passing such a measure, the House perpetuated all the anomalies of the existing system. It would be most undesirable, in consolidating the existing Statutes, to renew for another series of years the irregularities in weights and measures which ought to be swept away. This Bill affected every adult in the Kingdom, for all were interested in the system of weights and measures. With regard to the former, there was a variety of them—Averdupois, Troy, and Apothecaries' Weights—which, he presumed, were to be continued by the Bill. Then, he supposed, the variations in stones, sacks, and bags to be found in almost every county would also be continued. It was of great importance that the metrical system should be fully considered and discussed by the House. If the Government wished to make a really good measure, they would refer the Bill to a Select Committee, who would work the whole question out thoroughly, and pass a Bill which might be a blessing to the country; but if the Bill were passed in its present form, it would perpetuate a system which was full of inconveniences.

Mr. WHITWELL said, it was perfectly true that the statement referred to by the hon. Gentleman the Secretary to the Board of Trade (Mr. E. Stanhope) was very full and explanatory; but the measure was a complicated one, and he asked either that the second reading be postponed, or that ample time be allowed before the Committee was taken—unless the Government would adopt the suggestion of the hon. Member for Birmingham (Mr. Muntz), which, he considered, would be a much better course to follow. It was especially necessary that full consideration should be given to the measure, as it proposed to take away the present optional use of the metrical system. Everyone must be aware how weights varied about the country; while the different denominations of capacity by which grain was quoted were most anomalous. He hoped the Government would consent to the whole question being referred to a Committee.

Mr. A. H. BROWN said, it was most important to know how far the existing system of weights and measures was to be affirmed for the future. He had a list, showing that there were in use throughout the country no less than

14 different varieties of stone, varying from 5 to 20 lbs. A stone of one article was one weight, and a stone of another article a second weight, and so on. Consolidation of the law was a good thing; but such a Bill as that before the House ought to be amending as well. The question was one for a Select Committee to deal with.

MR. DILLWYN also agreed that the question should be referred to a Committee; for, if the Bill were assented to, in its present form, it would give the stamp of legality to the varying system of weights and measures, which was creating so much annoyance to the commercial community throughout the country.

THE CHANCELLOR OF THE EXCHEQUER: Of course, I can quite understand that if a Bill of this sort were to be fully and fairly discussed upon second reading, it might give rise to a lengthy debate, upon which it would be unwise to enter at so late an hour of the evening; but, I think, there seems to be a general opinion that the Bill is not one that admits of discussion on its principle —that being that it is desirable to consolidate the law relating to weights and measures. The real question is how we should deal with the matter in detail. My hon. Friend the Secretary to the Board of Trade (Mr. E. Stanhope) thinks it would be a by no means inconvenient course to accept the suggestion of the hon. Member for Birmingham (Mr. Muntz) to refer the Bill to a small Select Committee, who would set to work, with the assistance of the draftsmen of the Bill, and go through it in a business-like way. I hope the hon. Member for Meath (Mr. Parnell) will withdraw his Motion for the adjournment of the debate, and allow the Bill to be read a second time. My hon. Friend will then move that it be referred to a Select Committee, and will take steps to have it so considered.

MAJOR NOLAN agreed in the necessity for referring the Bill to a Select Committee.

MR. PARNELL said, he should be happy to withdraw his Amendment after the statement of the Chancellor of the Exchequer.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

PUBLIC HEALTH (IRELAND) BILL.

(*Sir Michael Hicks-Beach, Mr. Attorney General for Ireland.*)

[BILL 1.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Attorney General for Ireland.*)

MR. PARNELL asked the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Gibson) what course he proposed to take with regard to it? For his own part, he thought it advisable that it should be postponed until a whole evening could be devoted to its discussion. It was most inconvenient to Irish Members to have to come down to the House night after night lest it might be brought on in their absence.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, he was fully alive to the existence of the inconvenience to which the hon. Member referred; and, to prevent it as far as possible, he would now fix the Order for going into Committee on the Bill for that day fortnight, as consistently with the other engagements for the transaction of Government Business, it could not be taken before that day.

MR. O'SHAUGHNESSY hoped ample time would be given for discussing the details of the Bill whenever it came on.

MR. GRAY thought a full opportunity should be afforded for discussing the principle of the Bill on the Motion for going into Committee.

MR. J. LOWTHER said, it was impossible in the present state of Public Business to say absolutely when the Bill would be taken. What he proposed was that it should be postponed for a fortnight, and he would take care that due Notice was given when it was intended to proceed with it in Committee.

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* 18th March.

EXCHEQUER BONDS (£1,000,000) BILL.

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Colonel Stanley.*)

[BILL 121.] COMMITTEE.

Bill *considered* in Committee.

MR. FAWCETT asked for some explanation as to the purposes for which the amount named in the Bill was required?

The CHANCELLOR of the EXCHEQUER said, the bonds in question had been issued in order to raise a loan which was to be employed in making advances for building schools under the operation of the Education Act. It had not been found convenient to pay those bonds when they became due, and in consequence it was proposed to renew them. It was to effect that renewal that the present Bill was introduced, but no additional tax was asked for under its provisions.

Major NOLAN pointed out that an Exchequer Bonds Bill had figured on the Notice Paper almost every night for the last few weeks, and wished to know whether the Bill under consideration was a different, or the same one?

Colonel STANLEY replied, that it was the same; but that the Forms of the House rendered it necessary the proposal for renewing the bonds should go through various stages. Hence it was, that under the present heading it had appeared so frequently on the Notice Paper.

Bill *reported*, without Amendment; to be read the third time *To-morrow.*

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL—[Bill 44.]

(*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. ONSLOW complained that the patience of the House was being taxed night after night by the fact that, although several hon. Members from Ireland seemed to take an interest in the Bill, yet there was rarely anyone present when it was called upon, to take charge of it. If such a course were persevered in much longer, he was not sure that he should not feel it is duty to move that the Order be discharged.

Mr. O'CLERY said, there was an understanding that the discussion of the Bill should not be proceeded with after half-past 12 o'clock. The intention now was to postpone it till Thursday next, when he hoped the hon. Member, instead of opposing the Bill, would give it his warm support.

Motion, by leave, *withdrawn.*

Committee *deferred* till *Thursday.*

INTERMENTS IN CHURCHYARDS BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to enable Incumbents of Parishes or Ecclesiastical Districts, or Ministers in charge of the same, to permit Interments in Churchyards with a Religious Service other than that of the Church of England, or without any Religious Service.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Ritchie, Mr. Gorst, Mr. Woodd, and Mr. Sampson Lloyd.

Bill *presented*, and read the first time. [Bill 123.]

VALUATION OF LANDS (SCOTLAND) AMENDMENT BILL.

On Motion of Sir Windham Anstruther, Bill to amend the Acts relating to the Valuation of Lands and Heritages in Scotland, *ordered* to be brought in by Sir Windham Anstruther, Mr. Campbell-Bannerman, Sir Edward Colebrooke, Sir Graham Montgomery, and Mr. Ramsay.

Bill *presented*, and read the first time. [Bill 124.]

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Tuesday, 5th March, 1878.

MINUTES.] — *Sat First in Parliament* — The Earl Bathurst, after the death of his Uncle.

Public Bills — *Second Reading* — Contagious Diseases (Animals) (22).

Committee — *Report* — Glebe Loans (Ireland) * (32).

CRIMINAL LAW—ALLEGED CRUELTY.

QUESTION.

Lord TRURO said, he wished to ask a Question of Her Majesty's Government, of which, however, he had not given them private Notice. He desired to ask whether their attention had been called to a paragraph in the papers of that morning, which gave an account of, perhaps, one of the most atrocious acts of cruelty which it had ever been his misfortune to become acquainted with? It appeared that six youths, under the care and tuition of a clergyman, at a place called Yew House, near Beaconsfield, had been summoned on a charge of having put a cat in a sack in an open field, then holding it by the legs, cutting out its eyes, and baiting it with two dogs. The noble Lord was proceeding to comment upon the case as stated in the newspapers, when——

THE EARL OF REDESDALE: Order, order!

LORD TRURO asked why the noble Lord called him to Order?

THE EARL OF REDESDALE: The noble Lord has not given Notice of his Question.

LORD TRURO said, his object was not so much to ask a Question as to inquire whether the notice of the Government had been called to the paragraph. That did not require very much consideration in reply. If he was out of Order, he would give Notice that on Thursday next he would put the Question to the Government.

CONTAGIOUS DISEASES (ANIMALS) BILL.

(*The Lord President.*)

(NO. 22.) SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2ª."—(*The Lord President.*)

THE MARQUESS OF RIPON said, it would be unnecessary for him to go through the greater part of the Bill, because it was a consolidating Bill, re-enacting to a great extent existing laws, and he did not propose to go through those. But, in the first place, he would address himself to the congenial task of commenting on those parts of the Bill which improved the law as it now stood. Experience had shown that uniformity was desirable; it was also right to take power for the slaughter of animals in adjoining premises in cases of Cattle Plague, and to extend the existing powers in regard to pleuro-pneumonia, including the compulsory slaughter of cattle affected with that disease. If he had any complaint to make, it was that the noble Duke had not given effect to the recommendations of the Committee of the House of Commons of 1873 in this respect at an earlier date. Professor Brown had pointed out in his evidence that, if this had been done, he would have been able to stamp out the Cattle Plague last year more quickly than was actually possible. He quite agreed that it was necessary to take further powers for the inspection of dairies in towns. Again, experience proved that the noble Duke was right in assuming to himself and the Privy Council all the powers hitherto possessed by the local authorities in respect to the Cattle Plague. Much as he was opposed to centralization in general, this was a move in the right direction; and, therefore, he did not offer any opposition to that part of the Bill. He did not quite agree with the transfer of the charge for compensation for slaughtered cattle to the Consolidated Fund—but that was a question for the other House of Parliament rather than for their Lordships. Other proposals, he found, modified to some extent the principle, and to a large extent the provisions, of the Act of 1869, and imposed great restrictions, first on the internal cattle trade of this country, and then on the foreign trade. It must be borne in mind that these restrictions had no reference to the Cattle Plague, but concerned the diseases known as pleuro-pneumonia and foot-and-mouth disease alone. In regard to these proposals, he might say that the noble Duke was bound to prove that these restrictions were absolutely necessary. All restrictions upon trade were in themselves undesirable—they tended to hamper trade and to raise prices. It was not for him to say that very stringent restrictions were not justifiable for getting rid of the diseases of cattle; for they all knew very well that the powers given by the Act of 1869 were of a very stringent character, but he would say that when still further powers of the kind proposed in this Bill were asked for, the noble Duke was bound to prove, first, that these powers were necessary, and, in the second place, that they would be effectual for their purpose. He ventured to say that the noble Duke had not established, in regard to some of these restrictions, that they were absolutely required; and, in regard to others, that they would effect the purpose desired. Looking at the restrictions which it was proposed to place on the cattle trade of the country, he doubted whether it was possible by any restrictions practically to stamp out foot-and-mouth disease. He did not stand alone in that opinion, as the evidence before the Committee showed. But he quite admitted that the weight of authority was against him, and he did not wish to put his own opinion against the opinions of those who gave evidence. The question was whether that disease and pleuro-pneumonia could be stamped out by restrictions such as were proposed. Professor Simonds and Professor Brown, who were great authorities, had given their opinion that it was possible to stamp it out by certain measures which they recommended. What were those measures? They proposed to divide the country into districts, placing each one in charge of an Inspector, who should be constantly in communication with the central Department. It would, in their opinion, be absolutely essential to interfere largely with the movement of animals in this country, and with the holding of fairs and markets. Now, it must be borne in mind that these gentlemen were professors of veterinary science, and were well acquainted with the practical administration of restrictive regulations. Now, if the movements of cattle were stopped in those conterminous districts, the trade of the country would be very largely interfered with. But the Bill did not propose to do that. As he understood the Bill, it was not proposed to divide the country into districts at once; but to make them as the Privy Council thought fit. By the 18th clause, the Privy Council might at any time after disease had appeared, if they thought proper, declare a district infected. A district so proclaimed might be large, or it might be small. If it were small, little would be done towards checking the spread of disease; but if it were large, the interference with trade would be serious. It was shown in evidence that some of the witnesses did not believe that such restrictions would be submitted to. There were gentlemen who had had practical experience in carrying out regulations of this kind; they knew to what extent the regulations were likely to be submitted to. Professor Brown said, that people would not be willing to submit to these restrictions; but he (the Marquess of Ripon) was ready to admit that he believed the general feeling of large farmers was that they would be willing to submit to restrictions similar to those proposed by Professor Brown. But, in the case of small farmers, he ventured to say, that these regulations would meet with much opposition. The Secretary of the North Riding Chamber of Agriculture, when asked if he thought the farmers would submit to such regulations as were now proposed, said he did not think they would, but that they would consider the cure almost worse than the disease. He found that in the Netherlands for five or six years the importation of stock from other countries was prohibited; and that strenuous efforts were made to eradicate the disease. Notwithstanding these precautions, pleuro-pneumonia still existed in the Netherlands. Five or six years' prohibition had not proved effective in the Netherlands in stamping out pleuro-pneumonia. Another question which he thought had not received proper consideration was, how these restrictions would be received in Ireland?—and it was remarkable that no single representative of the opinions of the Irish farmers was examined before the Select Committee of the House of Commons in 1877. There was, therefore, no means of judging whether the small Irish farmers would be willing to accept the regulations proposed in the Bill. He had, however, the means of calling one Irish witness before their Lordships, and he believed he was not wrong in saying that he could not call a more competent witness than Mr. Kavanagh. Mr. Kavanagh was a Member of the Committee of 1873, and in that year he presented a counter Report to the Committee. This Report was not accepted by the Committee. In it Mr. Kavanagh said—

> "The foot-and-mouth disease, the Committee consider, has been clearly and satisfactorily proved, by the evidence before them, to be a disease of a much milder type, and not dangerous or fatal in its character, but from its highly-infectious nature, to be one which it would appear to be hopeless to attempt to deal with by legislation, unless restrictions were imposed, which, doubtful in their result, would occasion more loss to the public than the disease in its most virulent form. Many witnesses were examined by your Committee upon the subject of

this disease, and suggestions received for its restraint or extirpation; but in none of them could your Committee see any practical prospect of beneficial result. By some witnesses restrictions were suggested of a more or less stringent character; by others, it was complained that the existing restrictions were irritating and useless, that the present system of inspection at cattle markets tended more to spread infection than to restrain it, and, by interfering with the trade, to raise the price of meat. Your Committee are of opinion that the weight of evidence has been in support of this latter argument, and that these restrictions have done more to fetter trade than to check disease."

It was beyond doubt that if these restrictions could not be enforced in Ireland, they could not be enforced in England, because of the unrestricted trade between the two countries. Therefore, it did appear to him, with respect to these proposals, that it was doubtful whether the restrictions proposed by the Bill would be found effectual for the purpose; and whether, if they were carried out so as to be effectual, they would be submitted to for the long period of six years or more.

Turning to the part of the Bill which provided that foreign animals should be invariably slaughtered at the port of debarkation, the House must bear in mind that this provision for slaughtering animals at the port of debarkation had nothing whatever to do with stamping out the Cattle Plague. If the Cattle Plague was in any foreign country, the only way to guard against it was to prohibit altogether the importation of cattle from that country. That was the only mode in which they could effectually meet a disease of that kind. Therefore, this proposition of slaughtering animals at the port of debarkation related only to pleuro-pneumonia and foot-and-mouth disease. Foot-and-mouth disease was a disease of which the incubation was extremely short. It did not, as a rule, exceed 40 or 42 hours, consequently it would be known very quickly after the arrival of animals at the port whether foot-and-mouth disease existed in the cargo or not. Professor Brown expressed his conviction that, to prevent foot-and-mouth disease, the present regulations were, for all practical purposes, efficient. He also showed that the number of foreign animals suffering from foot-and-mouth disease in this country had diminished considerably in 1875 and 1876, when the Cattle Plague regulations were not in force at all, although there was slaughtering at the ports on account of that disease. These proposals, then, were really only applicable to the case of pleuro-pneumonia. There was an essential difference of principle between the present Bill and the Act of 1869. By that Act immense powers were entrusted to the discretion of the Privy Council. This Bill proposed to take away that discretion from them, and to substitute for the elastic system of 1869 a hard-and-fast line enforced by Act of Parliament. He preferred a system that could be modified as circumstances required. He preferred a system under which there was a Minister directly responsible for the restrictions enforced. The noble Duke was bound to give very fully his reasons for making this change; but in his speech in introducing the Bill he had given no reason at all. With regard to Cattle Plague, the most serious of all these diseases, large discretion was left to the Privy Council. With regard to the internal regulations proposed under the Bill, a wide discretion would be entrusted to the Privy Council. They might make the districts large or small—they had great powers in regard to the movement of cattle and the holding of fairs and markets—and he would say again that he decidedly preferred that they should have such discretion. But if the Privy Council could be trusted in respect to Cattle Plague, and in the case of internal restrictions, why could they not be trusted in respect to the foreign trade? There was one reason often urged in favour of this restriction, which was plausible upon its face. It was said that it was much better for trade if they laid down a strict rule than if they gave a discretionary power, which might be uncertain in its exercise, to the Privy Council. He had at first thought that objection entitled to great weight; but, having had various communications with those who were interested in the trade, he found that they were not of that opinion, that they did not prefer the proposals of the Bill; and he did not see the good of proposing something for their advantage which they entirely repudiated. A large meeting was held a few days ago in the City, when those present unanimously declared that they preferred the present discretionary system to the one proposed by the Bill. His noble Friend at the present moment could, as a matter of law, schedule every country in the world, and even prohibit the importation of cattle from them—he had power under the Act of 1869 to do that which the Bill rendered it compulsory for him to do. But he agreed with him that to order the universal slaughtering of cattle under the Act of 1869 would be straining the intention of the Act; but it was no straining of the intention of the Act if the cattle were coming from a country in which the disease was known to exist. He certainly did think that it was a mistake to lay down a hard-and-fast rule in an Act of Parliament; but if they chose to adopt that course, why should they lay down the rule now proposed by his noble Friend, which went beyond the recommendation of the Committee of 1877, and, as he thought he could show, far beyond the real feeling and desire of the Government itself? As far as the Committee of 1877 was concerned, that Committee did not recommend the compulsory slaughter of cattle from America; and he (the Marquess of Ripon) wanted to know why it was that his noble Friend proposed to order the compulsory slaughter of animals from that part of the world? The evidence of which he was in possession, showed that the trade from Canada and the United States was of an important character, and had greatly increased during the last few years. The Cattle Inspector of the port of Liverpool had stated that the American cattle came there in first-rate condition, and that they were admirable cattle in every respect; and that, instead of being in a bad condition through the voyage, the provision made for their accommodation was so good, that when they were landed, they presented no indication whatever of any suffering. He had had some conversation on the subject, since the Bill had been introduced, with a gentleman who was connected with Canada—and there was no person better able than him to speak with reference to that important Colony—and he had told him that his noble Friend would be overwhelmed with remonstrances from Canada the moment they knew of the provisions contained in the Bill. They were greatly excited about the question even last year, because ships had been fitted up with a view to this trade with which his noble Friend proposed so seriously to interfere; and he reminded their Lordships that it was not recommended by the Committee of 1877 that there should be any interference with the American trade. And now as to the opinion of the Government itself. They were represented upon the Committee of 1877 by Sir Henry Selwin-Ibbetson; and after the whole of the evidence had been given, that hon. Gentleman prepared a draft Report for the purpose of expressing the views of the Government, in which the following passage was contained:—

> "The proposal to continue the freedom of importation from countries now unscheduled was justified by the evidence of many witnesses, as well as the official Returns of our imports, showing that these countries practically enjoy immunity from disease. . . . On the whole, after considering the various alternatives, your Committee would recommend that from Sweden and Norway, Denmark, Spain, Portugal, and America, importation should be permitted as now, subject only to inspection at the port of debarkation; but that any of these countries should, on the outbreak therein of any contagious or infectious disease, be liable to be placed temporarily by Order in Council in the list of scheduled countries."

That was the opinion of Sir Henry Selwin-Ibbetson, after hearing all the evidence; and he (the Marquess of Ripon) wished to know why the noble Duke now wished to depart from it, and to take the very steps which Sir Selwin-Ibbetson recommended them not to take. It was his (the Marquess of Ripon's) intention to move in Committee an Amendment in the sense of Sir Henry Selwin-Ibbetson's draft Report. He would not detain their Lordships more than a few minutes longer; but he had one suggestion to make to his noble Friend, which he made with some confidence, and he hoped that he would not hesitate to assent to it—and that was, that a provision should be inserted into the measure for the purpose of making its operation temporary. It seemed to him that it was most desirable; because the provisions of this Bill, as his noble Friend would admit, were of a highly restrictive character, and it was doubtful—he would not go further than that—whether he would succeed in putting an end to pleuro-pneumonia and the foot-and-mouth disease; while it was very doubtful, also, what would be the effect upon trade. Among other inconveniences, the Bill might be found to interfere seriously with the supply of offal, which was a matter of great interest to the poor—the offal was that portion of the animal which was consumed by the poorest persons in the country; and if his noble Friend's system was brought into operation, it might be open to very serious objections on that ground. There was another danger, and that was that by long-continued interference with the foreign trade, they might so divert that trade that it might seek new channels, and leave us permanently. There was reason to believe that the consumption of meat abroad was increasing; and if they imposed further restrictions, they might destroy the small margin of profit, which now made it worth while to send animals from abroad to this country. For these reasons, he thought the Bill had better be made a temporary rather than a permanent one. His noble Friend knew very well that there were some persons in this country who believed that it was desired to have these restrictions imposed upon foreign trade for the purpose of affording some kind of commercial protection for the benefit of the home trade. He made no such charge against the noble Duke, because he was quite certain that in proposing the measure he proposed it in good faith, and had no *arriere pensée* whatever. Neither did he think it fair to make any such charge against the great body of the farmers in this country. He did not believe that they were desirous of any measure of this kind for purposes of commercial protection; but there might be among them some men who still believed that protection of that kind would do them good. He believed, however, the majority of them desired such measures, because they really believed that they would effectually deliver them from what was a very great evil. He should have been, however, more confident in expressing that opinion had it not been for something which he found in the Report of the Committee of 1877. In the Report of that Committee there appeared a paragraph, in which it was laid down that, in the opinion of the Committee, restrictions on the foreign trade ought not to be imposed, unless stringent restrictions were also imposed upon the home trade; but he found that, although that paragraph was adopted by the majority of the Committee, his hon. Friend Mr. Chaplin, the Member for Mid Lincoln, and six other Gentlemen voted against it; and that created in his (the Marquess of Ripon's) mind a suspicion that among some persons there might still linger protectionist views. What, however, he would put to his noble Friend was this—if the restrictions which he proposed were not effectual for his purpose, they would become so irksome that they would have to be relaxed; and as the restrictions in the case of pleuro-pneumonia and Cattle Plague were to be left, to a great extent, in the hands of the local authorities, different views might be taken of the activity with which they ought to be enforced in different parts of the country; and if the restrictions became relaxed, nothing would remain of this Bill, except the restrictions of the foreign trade—that was to say, that they would have restrictions on the foreign trade that could be carried out at once by order of the Government directly they came into operation, and restrictions at home, which might or might not be put into force. In his opinion, unless the internal restrictions were carried out with thorough stringency, there would be in effect a renewal of the system of protection. In this view, therefore, it was of the utmost importance that this Bill should be made temporary in its operation; so that it would not only be in the power of the Parliament and Her Majesty's Government, but it would be their duty, after the lapse of a certain time, to re-consider the whole subject. Only one word more. He confessed that he should be very glad if his noble Friend would consent to refer the Bill to a Select Committee. There had been two Committees in the House of Commons on this subject—one in 1873 and one in 1877; and they made almost opposite recommendations. Both of them were very competent Committees, but their Reports differed materially. No inquiry whatever had been made in 1877 as to the feelings of the Irish farmers; and he confessed that for this reason, among others, it appeared to him that their Lordships ought to have much fuller information as to the feeling of those who were affected, whether as to the home or foreign trade, and as to the real nature of the provisions which his noble Friend proposed. He begged, therefore, to suggest that the Bill should be referred to a Select Committee. He was afraid that he had trespassed a good deal on the patience of the House. He was sensible of the kindness with which their Lordships had listened to him, and he had only to say that he proposed to make no opposition to the second reading of the Bill. There were several of its provisions of which he approved, some which appeared to him to be of doubtful utility, and others which seemed to go altogether beyond the necessities of the case which, not being necessary, would be positively mischievous; and which, therefore, he hoped that their Lordships would strike out of the Bill.

LORD DUNSANY said, that he rose to supplement by a few observations what the noble Marquess had said in reference to Ireland. The noble Marquess had stated that the evidence of the Committee of 1877 threw no light on the Irish side of the question. With regard to the Irish side of the question, it would probably be new to many of their Lordships when he stated that, so far as horned cattle were concerned, the balance was in favour of Ireland; there being no less than 16,000 more horned cattle in Ireland than there were in England. The graizers in Ireland were of a higher class and grazed on a larger scale than those in England. If it was necessary that something should be said on the Irish side of the question, he could quote certain statistics that would not be without interest to their Lordships. He took it for granted that the majority of their Lordships wished this Bill to pass, if not exactly in its present state, at least in a modified shape. It was not for the benefit of the producers alone, but also for that of the consumers; and, although it was true that the ultimate effect would be, no doubt, to provide the community with a better supply of cattle, it was equally true, in the first place, that the effect of the Bill would be to raise the price of food, and no doubt at first it would be received with a good deal of discontent. It was equally certain that there would be much misrepresentation about it—it would be called a landlord's Bill, and a Bill for propping up rents. Upon these grounds he asked Her Majesty's Government whether it might not be worth while, if there were any tangible objections to the Bill, to throw over the objectionable part, and preserve that only which would, without question, benefit the community at large? He thought that the measure contained provisions of great public importance with regard to pleuro-pneumonia; but many entertained a different opinion when they came to consider the question of the foot-and-mouth disease. The difference of opinion was then made manifest; nor was it settled at all by the Report of the Committee of 1877. The noble Marquess (the Marquess of Ripon) had said that against the Report of the Committee of 1877 they must place the Report of that of 1873, and that they expressed precisely opposite opinions. Remarks upon the respectability of the Committee were perfectly idle, because they were both equally respectable; but, for some reason or other, it had pleased the Committee of 1877 to exclude every Irish witness. Whether that was owing to the constitution of the Committee itself he did not know. That Committee comprised 27 Members, three or four of whom were Irish Members, and, subsequently, a fifth Irish Member was added. Although they might be very good Members of the House, it did not follow that they knew very much about cattle; but, at all events, it pleased them to exclude the Irish witnesses. He reminded their Lordships that the evidence given by the smaller farmers, and by those who bred hundreds and thousands of cattle, was naturally different. He considered that the case of Mr. Booth, who bred valuable shorthorns, was quite an exceptional case—in point of fact, his position was quite abnormal. He had been so unfortunate as to lose half his cattle. That, no doubt, was a great misfortune; but he thought there were exceptional circumstances to account for it. He did not wish to go into the details; but he would direct their Lordships' attention particularly to what had been the effect of the foot-and-mouth disease in Ireland. He had a letter from a person who managed a very large farm in Ireland, which proved from statistics that the mortality from foot-and-mouth disease in Ireland was very small indeed. The first case he would mention was that of Mr. James Cullenden, who said that during the last 10 years he had fed 1,600 cattle and 1,200 sheep annually, and he had not during the 10 years lost more than three head of cattle and 53 sheep. Their Lordships would remember that if the 1,600 cattle were multiplied by the 10 years, it would give the product of 16,000, and the percentage of loss would only be ·3 per cent by the foot-and-mouth disease. The next was the case of Mr. H. S. Hall, who had been engaged during the last 20 years as a feeder of stock, having over 1,200 head of cattle and 1,000 sheep, and he stated that during the whole of his life he had only lost one cow and a very few sheep from the foot-and-mouth disease. That was something to put in the scale against Mr. Booth's testimony. The next was a feeder of stock named Henan, who, during a period of 15 years, had fed annually 600 cattle and 500 sheep, and he stated that during the time he had never lost a single cow or head of horned cattle by the foot-and-mouth disease. Another case was that of Mr. Charles Hamilton, who had, during the course of his life, experienced very little loss from the foot-and-mouth disease. Then there was Mr. W. Raven, of Kerry, who was for 20 years a stock-keeper, keeping 600 head of cattle and 900 sheep, and he had only lost four head of cattle and 16 sheep during the whole 20 years. His correspondent then went on to show that the foot-and-mouth disease was not nearly so fatal in Ireland as was supposed, and he believed that every Irish trader would quite agree in the statement that the loss of life in cattle from the foot-and-mouth disease was nothing like what it was thought to be. If any noble Lord wished to see the statistics, he was at perfect liberty to do so, and they certainly could not be considered in any way unsatisfactory. If their Lordships wished to know how it was that they managed to save their cattle, he could tell them that it was more by letting them alone than anything else—the chief precaution taken was to separate the infected cattle from the rest; and he knew that, in more than one case where the foot-and-mouth disease broke out in a farm, it was customary to inoculate all the sheep—as far as he himself was concerned, he should be inclined to do the very same thing this time of the year—and it had been found that where cattle and sheep had been inoculated, and afterwards caught the foot-and-mouth disease, they had it so very slightly that the proprietors lost next to nothing. He did not mean to say that, as a general rule, an animal which had had distemper did not catch it again; on the contrary, he knew that they did; but they took it so very slightly that they might be considered entirely out of danger. He did not approve altogether of placing all the cattle in one shed. He believed that the aggregation of diseased animals in that manner tended to render the disease more virulent, and many sheep that were slightly infected, on being put into a shed with a lot of others, were made much worse than they would have been if they had been left altogether at liberty. It was just the same as if a boy had cut his finger; if a piece of rag was bound round it, and he was left at liberty, in all probability it would soon heal; but if, on the contrary, he were put into a military hospital where there was a good deal of gangrene about, the chances were that the wound would become gangrened, and the boy would die. In Kerry some of the cases of foot-and-mouth disease were very slight; one cause, no doubt, was the climate. In the first place, it was particularly mild; and, in the next place, immense quantities of rain fell, sufficient to wash out all shades of distemper. He thought, therefore, that all the clauses relating to Ireland should be omitted from the Bill; and he would point out that some of them seemed to be hardly Constitutional, because they put upon the accused the onus of proving themselves innocent; whereas it was generally understood in English law that every man was assumed to be innocent until he was proved to be guilty.

EARL SPENCER said, that after the very able speeches made upon this question by the noble Duke, who introduced the measure the other night in a speech of great moderation, but which was exceedingly clear, and again that evening by his noble Friend the noble Marquess, who formerly filled the office held by the noble Duke, who had made a speech in which he had sifted the whole question, he found it almost impossible to address any fresh remarks to their Lordships. At the same time, he might be allowed to say that, having been accidentally a good deal mixed up both with legislation on this subject and in the administration of the law in reference to it, he might be allowed to address a few observations to their Lordships. He had the honour to be placed upon a Commission upon the rinderpest which sat in the years 1865 and 1866, and, although they were much derided at the time for some of their recommendations, he thought that they might take credit for having made some valuable suggestions, which had afterwards ripened into legislation, and had been attended by the best results. Since then he was for five years entrusted with the administration, among other matters, of the cattle law in Ireland, and, therefore, he felt great interest in the matter. If it were not for that, he would not venture to trouble their Lordships at all. The Bill dealt with two subjects—pleuro-pneumonia and the foot-and-mouth disease. It was not necessary for him to say more about the rinderpest than that it was a most dangerous and fatal disease—in fact, there was hardly any other that could be compared with it—and it was necessary to extirpate it in any way in which they could. He quite agreed with the noble Marquess that it was highly desirable that, while dealing with this question, they should interfere as little as possible by means of legislation with freedom of trade; and that remark applied with as much force to cattle as to corn. The greatest necessity, therefore, ought to exist before they put any restrictions upon that important trade—the meat trade of the country. They must, in the first place, be quite certain that their restrictions would in the end tend to increase the production of meat in the country, and no interference with it could be tolerated unless it was most urgently required. The Commission of 1865-6 had to deal with that matter, and they came to the conclusion that, in the case of rinderpest, the danger was so great to the country that they were obliged to recommend a system of restriction which could not do otherwise than restrict free trade in cattle. The Commission, therefore, recommended that all foreign cattle should be slaughtered at the port of debarkation. At that time he (Earl Spencer) heartily agreed with the recommendation, that being considered to be the only mode of keeping the cattle disease out of the country. A great change had taken place since then, and the experience which they had had of the effect of the action of the local authorities had shown that it was not necessary to go quite so far, even with regard to rinderpest, as actually to prohibit the importation of foreign cattle. The experience of 1869, 1872, and 1877 had taught them that they could check the introduction of rinderpest with great promptitude and certainty. The outbreak of last year was one of the most violent that they had experienced; but it only lasted a few months. It broke out in January, and ceased altogether on the 1st of May. That was owing, in a great degree, to the vigour of his noble Friend the Lord President of the Council. Still, the fact remained that the powers of the Privy Council were able to deal with it without imposing any restrictions on the foreign meat trade. He agreed with the Government that it was necessary that, for the sake of uniformity of dealing with the disease, a power should be vested in the hands of the central authority through which the local authorities might act; but, at the same time, if they did so, they were no longer justified in throwing upon the local authorities the burden of the compensation to be provided and the general expenditure involved, but it should be thrown upon the general revenue of the country. He would not say anything more with regard to this Bill as it related to England. He did not think that it was necessary to have fresh legislation to improve the law as regarded the foreign trade in cattle; because, as he had said before, he thought that the powers already in existence were sufficient. He heartily approved the provisions of the Bill with regard to placing the management of the foreign trade under the Privy Council; and, like his noble Friend the noble Marquess, he did not much like the idea of throwing the burden on the Imperial funds—there were always great objections to that—but it was the natural consequence of taking these affairs into the hands of the Government that they could no longer throw the expenses of management upon the local rates, but must of necessity throw them upon the Imperial Exchequer. Now, as to the difference between pleuro-pneumonia and the foot-and-mouth disease, he quite agreed with the noble Duke that that disease was of a very serious character; and he could not at all agree with his noble Friend (Lord Dunsany), who had spoken on this question rather as a representative of Meath, as to the very small loss occasioned by the foot-and-mouth disease in his own county. He (Earl Spencer) was well acquainted with the fact that in that particular county the percentage of deaths among cattle was exceedingly small; but that was not at all to the point, because what they had to look to was the enormous loss to the country from the abortions produced by the disease, and also the immense loss from the whole of the cattle on one farm being so thrown back that they could not be brought to market the same year. There was no doubt in his own mind that the disease could be stamped out—and, indeed, they had ample evidence to show that it could be done by complete isolation. In fact, he remembered one occasion in which it had been so stamped out; but it was like small-pox—one case brought back the epidemic. They must remember that it was no easy matter to isolate cattle altogether. Isolation with regard to the case of human diseases might be secured; but it was not so easy to secure it in the case of cattle. He did not entirely agree that the disease could be stamped out in the way proposed. His noble Friend (the Marquess of Ripon) had instanced the case of the Netherlands, in which the most stringent attempts had been made in vain. There would be the greatest possible difficulty in dealing with the case of offences against the restrictions, because everyone knew, even at present, what difficulties they had at quarter sessions in endeavouring to carry out the restrictions imposed by the Privy Council under the present state of the law. He was quite aware that public opinion had changed, and was much more generally in favour of restrictions than it was formerly. There were plenty of men like Mr. Clare Read and Mr. Howard, who advocated the most stringent measures; but the question was how far the smaller farmers throughout the country had agreed to the restrictions. He knew of one case in Northamptonshire where the magistrates had come to the unanimous conclusion that the restrictions could not be maintained. They found that licences were being forged to a great extent to enable the cattle to be moved about the country. The present restrictions would be much increased by the Bill. Instead of isolating cattle for 30 days, it would be in future for 56 days—so that in infected districts the markets would be absolutely suspended. He was afraid, therefore, that when these restrictions were put in force, the farmers would not agree to them. The Lord President would remember very well that, after his Report and the subsequent order, there was an absolute stoppage in the removal of cattle all over England, and it was felt that the orders of the Privy Council were not only stringent, but almost tyrannical. In his opinion, this Bill would have to be supplemented. He agreed with those who held that the Government was not justified in introducing a measure of this kind, which interfered materially with the trade of the country, unless they felt certain that it would be successful. He, therefore, supported the noble Marquess who had urged that the Bill should be limited in its duration. His own opinion was that it should be limited to three years, and then, if it were successful, it might be renewed; but he thought it was most inexpedient to adopt so stringent a measure as a permanent one until its absolute necessity became manifest, and in Committee he should move that it should be limited to three years. He took the opportunity of correcting the statement made by the noble Lord (Lord Dunsany) that cattle were more numerous in Ireland than in this country. That statement would be perfectly correct if the noble Lord intended to limit the number of cattle to England alone; but, if he included Wales, the difference would be slightly in favour of this country, because the total number of cattle in England and Wales was 4,190,000, and in Ireland 3,996,000. He thought it was very important to stimulate the Irish cattle trade. It was the general impression that the disease was much more prevalent in Ireland than it was in this country; but that idea was a fallacy, and it probably arose in consequence of the jaded condition of the cattle arriving in this country, and the fact that the hardships they had suffered on the voyage rendered them more liable to take the disease, in consequence of their exhausted condition. In his opinion, every care should be taken to improve the manner of transport. With respcet to Ireland, he approved of the determination of the Government to make no difference between that country and England; and he reminded the breeders there that if they did not submit to the same regulations they would throw themselves open to an attack from their brother agriculturists on the other side of the water, who would say that, as they did not submit to the restrictions imposed upon them, they would be obliged to treat cattle coming from Ireland as foreign cattle. That was an argument of considerable force; because, if they would not submit to the regulations, which were certainly for their own benefit, and to which England and Scotland submitted, it was right that they should be treated as foreigners were. He did not agree with the noble Lord that the foot-and-mouth disease ought to be left alone. On the contrary, the experience which he had gained in Ireland showed that a very good effect had resulted from the measures taken to suppress that disease.

Earl FORTESCUE said, that having, as President last year of the Central Chamber of Agriculture, repeatedly pressed the noble Duke to legislate on the subject, he must be allowed to thank him for the very satisfactory measure which he had introduced. All seemed to approve of the part of the Bill relating to Cattle Plague; and he agreed with his noble Friend who spoke last, that the aggregate loss from pleuro-pneumonia, and still more from foot-and-mouth disease, exceeded considerably that caused by Cattle Plague. Since its first outbreak of late years in 1865, the money loss from foot-and-mouth disease, owing to the waste of meat which it occasioned to fatting, and the injury to breeding, animals, was to be reckoned by millions. He also agreed with his noble Friend that a more enlightened feeling about the necessity for restrictions at home, and the duty of conforming to them, had sprung up among the farmers since 1865. He did not at all believe in the alleged hopelessness of expecting that they would be enforced, or in the opposition which it was asserted they would incur. Not only the Central Chamber of Agriculture, but numbers of local Chambers also, had expressed their readiness to submit to very onerous restrictions at home, if they were protected from the danger of contagious diseases, largely imported, if not exclusively derived, from abroad. That meat could be profitably and advantageously brought dead, instead of alive, to our great centres of population, they had the most conclusive proof in the constantly increasing proportion of dead meat brought to them, not merely from other countries—and especially to so remarkable an extent from America—but also, as appeared from the evidence before the Committee, from Aberdeenshire, one of the remoter counties of Scotland, and to his own personal knowledge from Devonshire and Cornwall, two of the more distant counties of England, to London. He quite agreed, again, with his noble Friend in all that he had said of the injury done to the live animals in their journey across the Irish Channel, and by road and rail, before and after that crossing. Part of this waste and suffering, which was not confined to animals coming from Ireland, was inevitable in stormy weather at sea—when large portions of heavy cargoes had been much injured, and some even killed by being bruised and trampled upon; and in some cases the whole absolutely suffocated through the necessary closing of the hatches. But a good deal was the result of defective arrangements both by sea and land. For his own part, he hoped and believed, for the sake of humanity as well as economy, that a constantly increasing proportion of the supply of meat of our large towns would be killed at a distance, and be spared the terrible suffering and lamentable waste of long journeys alive. A great deal of exaggeration was observable in the statements as to the great importance to the poorer classes of the offal, resulting from the slaughter of foreign animals in our towns. Against this was to be set, in the first place, the diminished quantity of good meat left on each animal, resulting from wasting on the journey. Then there was the introduction, in each live animal, of a quantity of refuse other than offal for food, which could only with difficulty be prevented becoming injurious to the health of the population; and then, the best of the offal could be brought from a distance into the town, as well as the dead meat, if required; though it should always be remembered that the proportion of the meat supplied, dead or alive, from abroad to the United Kingdom, could not at most be reckoned at more than 12 per cent of the whole. He utterly dissented from the view of the noble Lord, who anticipated a rise in the price of meat from this Bill, and for this conclusive reason—during the greater part of last year, when foreign live stock was excluded from this country, prices ruled decidedly lower than they did before, while foreign live stock came in freely. As for the Free Trade argument, which had been alluded to, it was too late to press that with any effect now-a-days. He was old enough to have heard it used more than 30 years ago on the Ten Hours Bill, which Parliament had ultimately passed with now generally recognized advantage to the community. He had afterwards heard it used in opposition to that great measure, the Public Health Act of 1848, which he felt it a great honour to have been allowed to take a humble part in promoting. They heard then a good deal about the poor man's pig, and the hardship of preventing him from keeping it in his own cellar, or close under his own or his neighbours' window. They had it used besides in opposition to the legislation for the regulation of lodging-houses. They had the old arguments used again more recently about the Adulteration Act, which Mr. Bright, who on Free Trade principles, he supposed, was so chary of legislation—though there were many subjects requiring it—while he presided over the Board of Trade, so vehemently denounced; declaring that adulteration was the natural result of competition, and that life would not be worth having in a country where dealers were liable to the intrusion of Government Inspectors to test the purity of their goods. That objection only showed that his knowledge of political economy was as defective as his sense of justice and humanity. Parliament had wisely now for years adopted an opposite course of legislation, and had recognized that it was true wisdom and economy to promote the well-being of their citizens, and the health of their flocks and herds, even at the expense of onerous restrictions on the freedom of action of individuals. As a now veteran Free Trader, who had fought the battle of Free Trade against powerful opposition at his first election in 1841, and had constantly supported Free Trade ever since, he welcomed this Bill as a wise, just, and, in the true sense of the word, economical measure, sure to benefit the consumer as well as the producer of meat.

The Earl of BELMORE observed, that at a meeting which had been recently held, in which both sides of politics were fully represented, an almost unanimous opinion had been expressed that, in the matter of restrictions, no distinction should be made between Ireland as a producing and England as a consuming country. At the same time, he thought a great deal of care would have to be exercised in seeing that the restrictions were not unnecessarily severe, or such as to produce any inconvenience that could be readily avoided. In some parts of Ireland it was the custom for persons who had a great deal of grass land, and more than they could conveniently stock themselves—and this would apply especially to owners of demesnes—to take in lay cattle, or to let in agistment some of their grass land for the grazing season. It would be obvious, if foot-and-mouth disease were to break out, say, in the month of October, and no cattle would be removed until 28 days from the time that the last animal had recovered, by which time the law would have become as bare as a board, what great inconvenience would arise. He had always heard it said that Ireland was comparatively free from disease, and that Irish cattle imported into this country usually contracted disease on being landed at the English ports. It was the nearly universal opinion in Ireland that to attempt to cure foot-and-mouth disease by means of these restrictions would produce evils worse than the disease itself. Seeing that the machinery of this Bill would be set in motion by means of Orders in Council, he begged to suggest to the noble Duke that he should arrange with the Lord Lieutenant, as a matter of administration, that before any Orders were issued which might have the effect of seriously affecting public convenience, they should be submitted to a Committee consisting of such members of the Irish Privy Council as were practically acquainted with agricultural affairs. The noble Earl (Earl Spencer) the late Lord Lieutenant of Ireland, who had spoken from the other side, was himself a great authority on the subject, and if he, or someone like him, were in this position, this might not be necessary; but such might not always be the case. He had not made these observations in any spirit of hostility to the Bill of the noble Duke the Lord President of the Council; but because he deemed the suggestions he had thrown out not unworthy of consideration.

LORD EMLY said, the feeling in Ireland was very strong that justice required that the Bill should be considered by a Select Committee. He regarded as one of the best provisions of the Bill that which assimilated the legislation of the three Kingdoms on this subject. His noble Friend (Earl Spencer) had said, alluding to the management of these matters by the local authorities, in England, that, in order to make the operations of legislation uniform, they should be under the direction of one controlling mind. In his (Lord Emly's) opinion, Ireland, like England and Scotland, should be placed under the Lord President of the Council, so that the whole of the three Kingdoms would be under one controlling and responsible head. This would tend very much to the efficient working of the Bill in Ireland. The Department over which the noble Duke presided was admirably organized. It acted under the eye of Parliament, and was represented there by a Minister of the Crown. The Department to which these things were entrusted in Ireland had not a sufficient staff. Practically, it was not represented in Parliament. The opinions of the two Committees of 1873 and 1877 were diametrically opposed in regard to the possibility of stamping out and getting rid of foot-and-mouth disease by any regulations such as proposed by this Bill. There ought to be a reasonable prospect of getting rid of the disease before the farmers were called upon to endure such vexatious regulations. Ireland ought to have the advantage of the same skilful administration as was enjoyed by England and Scotland. He would point to a single instance in which a great and serious evil would be inflicted by this measure, if passed in its present stringent form. It might, of course, be necessary to inflict certain temporary evils, with the view of getting rid of a particular disease; but the evils which this Bill would inflict were so grave and serious that, unless there were a reasonably strong hope of the success of the measure, he thought it would be most unwise to inflict them. He would take the case of the chief ports of Ireland—Cork, Waterford, Dublin, and Drogheda—all of these might be proclaimed infected districts at the same time, and, consequently, closed as against cattle for the period mentioned in the Bill; whereas many parts of Ireland might be free from the disease for which those ports were proclaimed. The closing of these ports would be an absolute prohibition of the export of cattle from Ireland to Great Britain. He hoped the noble Duke would not proceed with this provision unless he had the strongest reason for believing it would be effectual. He must say it would require stronger reasons than any he had yet heard to induce him to support the Bill. He should feel it his duty to move that the Bill should be referred to a Select Committee.

THE DUKE OF RICHMOND AND GORDON, in reply, stated that it was because they believed there was a reasonable hope of this measure being successful in stamping out foot-and-mouth disease and pleuro-pneumonia from this country, that he hoped their Lordships would pass the measure he had had the honour to introduce. It might appear, from the non-calling of Irish witnesses before the Committee, that Irish interests were neglected in that inquiry. But what were the facts bearing upon that point? The Committee consisted of 27 Members, and of these, five hon. Gentlemen represented Irish constituencies—Mr. Corry, Mr. Dease, Mr. Murphy, the hon. Charles French, and Mr. King-Harman. The hon. Chairman of the Committee (Sir Henry Selwin-Ibbetson) stated that on frequent occasions those hon. Gentlemen were most assiduous in their attendance on the Committee, and they were asked on various occasions whether, after the evidence given, there was any necessity, or whether they wished to call Irish witnesses before the Committee. They declined to do so; and therefore he was justified in saying that on that Committee Irish interests were not neglected, and that witnesses had an opportunity of expressing their opinions. It had been said that this was a measure of protection. It was not a measure of protection. It was not for the protection of any one interest at the expense of another. He believed that in bringing in this Bill Her Majesty's Government were doing a benefit to the whole community, and were not legislating at the expense of the consumer to benefit the producer—their interests, properly considered, were identical. They believed that if by any measure they could bring about a better state of things, they would increase the supply of meat in this country, they would render the country independent of foreign supply, and would reduce the price of meat to all classes. They did not adopt the recommendations of the Committee of 1873, so far as they recommended immediate legislative action; because they thought it better to wait and get more information, and then to bring in a large and comprehensive measure. One of the recommendations which had been made to the Committee was that the whole country should simultaneously be placed under restrictions in the case of the plague breaking out; but the object of the Bill was to confine the restrictions to those portions of the country in which disease existed. The Government wished to give freedom of trade throughout the country, and they had, therefore, taken power for narrowing the districts to the smallest possible space, in order not to interfere with the movements of cattle any more than was necessary. As to the statement that five or six ports in Ireland might become infected districts, although possibly there might not be disease in any other part of Ireland, he could hardly imagine the thing possible. The object of the Bill was to treat all parts of the Kingdom alike. The Government did not desire to make any difference in respect to Ireland; but if the same restrictive measures were not adopted in Ireland as in England, then it was impossible that Ireland could be treated exceptionally. The object was to stamp out foot-and-mouth disease; and if it was not stamped out in Ireland, then Ireland must be treated as a foreign country—which the Government desired above all things to avoid. The noble Marquess (the Marquess of Ripon) said that, although this might be accepted by the larger agriculturists, in his part of the country the farmers generally would not submit to the restrictions imposed by this Bill. But if the noble Marquess looked at the evidence of Mr. Soulby, he would find that gentleman said the farmers would submit to restrictions to stamp out foot-and-mouth disease. It was a disease which did enormous injury in this country not only to the producer, but to the consumer of food. It was said that farmers would not submit to more restrictions than were necessary, This was exactly what was proposed by the Bill. This was why the Privy Council confined their operations to those parts of the country where disease existed. There was no system of inspection known in this country by which we could be sure that disease would not get into the country unless the animals were slaughtered at the port of landing. It was proposed that, in the first instance, whenever the local authority should discover in any particular place that disease existed, they might declare that an infected place, and the Council might take in as much of the land as they thought necessary around any particular shed and make that an infected district. His impression was that there was only one witness called before the Committee who gave evidence that the farmers would not submit to restrictions to stamp out disease. The noble Marquess seemed to object to slaughtering cattle at the port of debarkation for the purpose of getting rid of foot-and-mouth disease. It was perfectly clear, if they wanted to get rid of this disease, and if they had those restrictions in this country which would stamp it out here, these restrictions would be useless unless they could prevent the disease coming from foreign countries. It could not be said that disease was not coming from foreign countries. He found that in 1875 no less than 20,228 cattle from abroad were found to be diseased on landing at the various ports. 19,000 of these had foot-and-mouth disease; and so long as this was allowed to go on, so long would they have this complaint. The noble Marquess also touched on the question as to the effect of these restrictions. He said he did not think that these restrictions were at all likely to have the effect of getting rid of this disease. If this was so—though there was no evidence to show that the restrictions would not get rid of the disease—he would quite grant that he was asking for large powers on insufficient ground; but, on the contrary, whenever these restrictions had been carried out fully, they had the effect of diminishing disease. In the Netherlands, where the system of compulsory slaughter existed, in 1871 there were 6,078 cases of disease; in 1872 there were 4,009; in 1873 the cases were 2,479; in 1874 the number was 2,414; in 1875 there were 2,227 cases; in 1876 there were 1,723 cases; and in 1877 951 cases—showing a great diminution—due, no doubt, to the diseased animals having been slaughtered. With regard to the proposal that this Bill should have a temporary operation, his opinion was that such a course would unsettle everything and settle nothing. The essence of the Bill was that regulations should be made by which disease should be put a stop to. It had been contended that it would be an interference with the food of the people. There need be no apprehensions on that score. When the Cattle Plague restrictions were first set up in 1866, the dead meat trade commenced, to a certain extent, from Aberdeen to London. In the last five years the trade had been progressing, and he ventured to assert that what had been done from Aberdeen to London could be done from London to other parts of the country. In 1873, the dead meat carried from Aberdeen for London on the Caledonian Railway was 5,316 tons, and by sea 243 tons. There were in the same year 1,400 live cattle carried by rail, and 1,800 by sea. The total of these various years was, 1873—5,558 tons of dead meat, and 3,272 live animals; 1874—6,328 tons of dead meat, 6,371 live animals; 1875—6,425 tons of dead meat, 4,835 cattle; 1876—6,329 tons of dead meat, 6,652 animals; 1877—684 tons of dead meat, and 4,466 live animals; making a total of 31,657 tons of dead meat, and 25,000 live animals. Allowing 6½ cwt. as the weight of a bullock, 97,388 would represent the number of animals carried as dead meat, as against 25,000 carried alive. This was conclusive evidence that the dead meat trade could be properly and successfully carried out. More than that, the cost of carrying these animals as dead meat from Aberdeen to London was so small, that practically it made no appreciable increase of price. He found that the charges upon the carriage amounted to something like a halfpenny per pound, including commission and railway carriage. The question of offal had been touched upon. He could assure the House he had gone carefully into that matter. He had inquiries made since he introduced the Bill, and the conclusion he had arrived at from the evidence given to him by persons who dealt in offal was that there would be no difficulty in carrying offal from London to the manufacturing districts; and, more than that, he found it was done at present to a great extent; whereas in cold weather animals were killed in the country, and the offal disposed of in the neighbourhood. In hot weather, when the animals were killed not so much in the country districts, the offal market in London was overstocked, and quantities were sent back into the country with considerable success, as he should be able to show in Committee when they came to deal with the details of the question. He might say that undoubtedly foot-and-mouth disease was imported into Ireland from this country. He could not agree with his noble Friend behind him (Lord Dunsany) that the operation of the Bill would increase the price of food in that country; and he defied any person to prove that this could be looked upon as a landlord's Bill, with the purpose of raising rents. He denied, also, the accuracy of the information that this Bill was not popular in the country. On the contrary, if the noble Lord who made the statement had the same information as he had, he would see that it was most popular throughout the country, and was looked forward to as a most useful measure in getting rid of disease. It had been said that it was all very well to bring forward Mr. Booth as a witness in this matter, because his stock was of a highly-bred character, and therefore more likely to take disease than other animals less well bred. That might be so; but, at the same time, the argument fell very far short, unless it could be shown that animals not so highly bred did not take the disease. Therefore, it could not be said that they were legislating for high-bred cattle, and putting the whole country to inconvenience for the sake of Mr. Booth. He denied the fact. This disease affected all classes of stock. Taking the evidence of Mr. Clare Sewell Read, who was a practical farmer, and whose farm was conducted in the same manner as an ordinary farm, he said, in answer to the following Question:—

> "You agree with the witnesses who have stated before this Committee that the foot-and-mouth disease causes very great loss, not only to the producer, the breeder, but also to the consumer?—It does. I should say that whereas cattle plague is so deadly and horrible a disease that we are sure to take measures to extinguish

it, and that whereas pleuro-pneumonia is very fatal, still, at the same time, there can be no doubt whatever that foot-and-mouth disease destroys more meat and milk than all the other diseases put together."

That was very strong evidence, coming from a practical man like Mr. Read; and even if no other herds than those of the same character as Mr. Booth's should be affected by the disease, still he maintained that the Government would be justified in endeavouring to stamp it out, for a high class of stock had a very beneficial effect throughout the country. He did not agree with those who said that shorthorn mothers could not bring up their calves. He had himself, in a very humble way, shorthorn stock in the North, chiefly for the benefit of the district, and he certainly could not undertake to recommend them if it required two cows to bring up every calf. Ireland also would reap the advantage of the Bill; and, as he had stated, he desired to have the same regulations in Ireland as in England. Probably it might be possible, by excluding foreign cattle, to stamp out the disease; but he could not say when that result would be achieved. Other countries—and especially Denmark—had been very successful in their treatment of the difficulty, and in England it might reasonably be expected that the disease should be confined to the area in which it originated. With regard to another point, it was clear that compensation for slaughtered animals ought to come from the Imperial funds, as when the Government ordered animals to be slaughtered, it would not be fair for the local authorities to be made to pay for them. As for the Bill itself, he hoped that it would be committed *pro formâ* on Thursday, as there were several Amendments to be made, and the working Committee might be fixed for the following Tuesday.

EARL GRANVILLE thought the noble Duke had not answered all the points that had been raised by the noble Marquess; and he (Earl Granville) had wished to hear the reason for including perfectly clean countries in the provisions of the Bill, and he hoped that that course would be justified in Committee. Several noble Lords had expressed their wish that the Bill should be referred to a Select Committee, and there were obvious reasons in favour of that proceeding; and, as far as he could see, no argument against it. In the Committee, on the Report of which the Bill was founded, no Irish evidence had been taken, and the Bill contained several provisions which were contrary to the recommendations of the Committee of 1873; while the noble Duke disagreed with the opinion of another President of the Council with respect to the possibility of stamping out pleuro-pneumonia. All these were points on which inquiry was desirable. The Bill would not be seriously delayed by being referred to a Select Committee, and might be sent to the other House in a fortnight. He hoped the Government would consider the convenience of appointing a Select Committee on the Bill.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

House adjourned at half past Eight
o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 5*th March*, 1878.

MINUTES.]—SELECT COMMITTEE—Public Business, Mr. Anderson, Mr. Sampson Lloyd *added.*

PUBLIC BILL — *Second Reading*—County Courts Jurisdiction* [100], [House counted out].

QUESTIONS.

PUBLIC HEALTH—SMALL POX.

QUESTION.

EARL PERCY asked the President of the Local Government Board, Whether he can state the number of deaths from small pox in England and Wales in the years 1876 and 1877 respectively?

MR. SCLATER-BOOTH, in reply, said, the number of deaths from small-pox in 1876 was 2,413; in 1877, 4,280; the difference being entirely due to the small-pox epidemic in London.

CRIMINAL LAW (SCOTLAND—DEATH OF MR. G. P. CHALMERS.—QUESTION.

Mr. **RAMSAY** said, the hon. Member for Forfarshire (Mr. J. W. Barclay) was unavoidably absent, and had requested him, in his absence, to ask the Secretary of State for the Home Department, Whether his attention has been directed to the murder attended with robbery of George Paul Chalmers, R.S.A., in the streets of Edinburgh, on the night of 15th February last; and, whether, considering the peculiar circumstances of the case and the numerous complaints in regard to the inaction of the police, he will direct special investigations with a view to the discovery of the crime, and into the condition of the Edinburgh police?

Mr. **ASSHETON CROSS**: The Lord Advocate is now in Edinburgh, and the subject is at this present moment under legal investigation. I do not think, therefore, that it would be right for me to make any statement about it. I observe the Question assumes that there was murder and robbery. That is the question about which inquiry is taking place, and I do not think it ought to be assumed until it is proved. With regard to the general conduct of the Edinburgh Police, no report has been made to me of the number of complaints, nor have I any reason to believe that the force is inefficient. I have consulted the Inspector on the matter, and asked for information on the subject.

COUNTY EXPENDITURE—BOROUGH CONTRIBUTIONS.—QUESTION.

Lord **EDMOND FITZMAURICE** asked the President of the Local Government Board, If the Return laid upon the Table of the House on July 27, 1877, showing the contributions made by municipal boroughs in England and Wales towards any county rate or county expenditure, will be distributed to Members before going into Committee on the County Government Bill?

Mr. **SCLATER-BOOTH**: This Return has been for some time in type; but it was found on examination, that much of the information furnished was inaccurate and incomplete. Further inquiries have been made of many of the municipal and parochial officers, and most of the required information has been received. I cannot say that it will be possible to produce the Return before Thursday next; but I hope it will be ready before many days.

COMMISSION ON NOXIOUS VAPOURS—THE REPORT.—QUESTION.

Colonel **BLACKBURNE** asked the President of the Local Government Board, When the Report of the Royal Commission on Noxious Vapours may be expected to be laid before the House?

Mr. **SCLATER-BOOTH**: In reply to my hon. and gallant Friend's renewed Question, I have to inform him that I have had a letter from Lord Aberdare, the Chairman of the Commission, explaining the circumstances which have delayed the completion of the Report. I should hope, from the information given, that it may be laid on the Table before Easter.

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.

QUESTION.

Mr. **SULLIVAN** asked Mr. Chancellor of the Exchequer, Whether the intentions of Her Majesty's Government in reference to the Irish Sunday Closing Bill were correctly stated by the late Chief Secretary for Ireland on the 18th of January last, when he promised for the Government (reserving the right to move certain Amendments) to

> "support it in its earlier stages, and afford greater facilities, with a view to the question being settled this Session and not delayed;"

or whether the present Chief Secretary for Ireland spoke with greater authority on Saturday last, when he announced to a deputation of Brewers and Liquor Merchants that the Government would neither directly nor indirectly support the Bill, and that, with the conceding of one day for its discussion, the obligation of the Government ended?

The **CHANCELLOR** of the **EXCHEQUER**: The statement which was made by my right hon. Friend the Colonial Secretary previous to the introduction of this Bill correctly expressed the views and intentions of Her Majesty's Government, and I understand it was not in any way the intention of my right hon. Friend the present Chief Secretary to the Lord Lieutenant to override or alter the understanding which was then arrived at. What my right hon. Friend the Colonial Secretary promised was this—He said, speaking of the Bill before it had been introduced—

> "If the provisions of that Bill are identical with those of the measure brought in last Session by the hon. Member for Londonderry County (Mr. R. Smyth), Her Majesty's Government will be prepared to take the same course with regard to it as they took last year. They will support its earlier stages, but reserve to themselves the right to move such Amendments as may appear advisable in Committee."

He went on to say—

> "I cannot doubt that the hon. Member for Roscommon will take every means in his power to secure opportunities for the discussion of his Bill by this House; but, if necessary, the Government will be prepared to aid him in obtaining greater facilities for the purpose, with the view of securing, so far as we are able, that a settlement of the question shall be arrived at this Session, and shall not be delayed, as was the case last year, from want of time."

We have thus far fulfilled this obligation, because we did support the Bill in its earlier stages, and we hope to fulfil the engagement as far as is in our power with regard to the subsequent stages. But this Bill is not a child of the Government, and what our duties to other people's children are is always a question of some delicacy. We do not propose either to make a promise to be so kept as to be only keeping it to the ear and breaking it to the hope; and, on the other hand, we must not be supposed to pledge ourselves to give an indefinite support to this Bill, so as to set aside other Business of pressing importance. [Major O'GORMAN: Hear, hear!] The most practical Answer I can give with regard to the next step of progress is this. I promised some time ago that if our Business was making fair progress about the middle of March, I would make some arrangement for the further discussion of this Bill. We have not yet arrived at the time I then contemplated; but, if we continue to make fair progress with the Business of Supply, and especially with the Army and Navy Estimates, I hope to be able to place either Monday, the 25th of March, or the following Thursday, the 28th, at the disposal of the promoters of this Bill, in order that we may proceed with the discussion of it, and make progress.

RAILWAYS—CONTINUOUS BRAKES.

QUESTION.

MR. M. BROOKS asked the President of the Board of Trade, If his attention has been called to an accident, attended by grievous injury to several persons, which occurred on the Dublin, Wicklow, and Wexford Railway on Wednesday last; whether he is aware that this is the second accident of a similar kind, on the same Railway, and in the same locality, within the last six weeks; and, if he proposes to institute an official inquiry into the causes of these accidents, and the necessity for continuous brakes?

SIR CHARLES ADDERLEY: I have sent Major-General Hutchinson to report on the accident referred to, and will lay his Report on the Table when it is received. The Board of Trade have no information of a similar accident on that railway during the present year. I have this evening laid on the Table Papers on the subject of continuous brakes.

RUSSIA AND TURKEY—THE BRITISH EMBASSY.—QUESTION.

MR. OWEN LEWIS asked the Under Secretary of State for Foreign Affairs, If the statement in the "Daily Telegraph" of March 4th, that General Ignatieff has threatened to have the dragoman of the British Embassy at Constantinople shot, is correct; and, if so, whether Her Majesty's Government have taken any steps for the protection of his life?

MR. BOURKE: It appears that the dragoman of the British Embassy mentioned that certain expressions were used towards him by General Ignatieff which were not of a friendly character. There is no reason to suppose that the dragoman's life is in danger.

RUSSIA AND TURKEY — ALLEGED EXECUTION OF POLISH DOCTORS.

QUESTION.

SIR FREDERICK PERKINS asked the Under Secretary of State for Foreign Affairs, Whether the Government have received any information confirmative of the truth of the account of an atrocity which was described in the "Standard" of March 2nd:—

"Intelligence has been received here (Paris) of the hanging of several alleged Polish doctors at Sofia when the Russians occupied that town. The victims were residents of Cracow, and Austrian subjects, being natives of Galicia. They bore Polish names, and had, like many medical men in England, joined the Turkish medical staff. When the Russians entered the town these gentlemen, in defiance of the Convention of Geneva, were arrested, tried by a drumhead court martial, and hanged before the troops. I can assure you that this is no fiction. The men were hanged solely and simply because their names were Polish and they spoke the language. General Gourko ordered the execution."

Mr. BOURKE: I answered a Question upon this subject a few days ago, and I have no reason to believe that the Answer I then gave was in any way inaccurate. I have nothing to add to the information I gave to the House at that time. Rumours upon the subject have reached Her Majesty's Government; but we have not sufficient evidence to justify me in making any statement to the House.

JUDICATURE ACTS — ASSIZES AND QUARTER SESSIONS.—QUESTION.

Mr. RODWELL asked the Secretary of State for the Home Department, Whether, owing to the abolition of prisons in certain places, any change will be made in the holding of Assizes and Quarter Sessions?

Mr. ASSHETON CROSS, in reply, said, it was not intended to make any change. The Government, under the Prisons Act, were bound to convey the prisoners for trial backwards and forwards.

PARLIAMENT—MEETING OF THE HOUSE.

Resolved, That this House do meet To-morrow at Two of the Clock. — (*Mr. Chancellor of the Exchequer.*)

MOTIONS.

THE NATIONAL PORTRAIT GALLERY.

RESOLUTION.

Mr. BERESFORD HOPE, in rising to call attention to the present condition of the National Portrait Gallery, and to move—

"That, in the opinion of this House, the time has come for the Treasury to carry out the promise made by it in March 1876, of appropriating certain specified portions of the Exhibition Buildings at South Kensington for the accommodation of the National Portrait Gallery, in addition to the apartments already occupied by the Gallery,"

said: I appear, Sir, on behalf of one of the established and recognized collections of the country—the National Portrait Gallery, which has existed for upwards of 20 years. This Gallery is one of those collections which exist directly under the Crown, and are managed by trustees appointed by the Crown. We are not in any way a branch of the South Kensington Museum; but are, like the British Museum, or the National Gallery, an institution specially founded, managed by our own Trustees, and subsidized annually by a Vote in Supply, which, in our case, is one of £2,000 a-year, to be spent in the purchase and conservation of pictures, besides certain expenses for which the Government make themselves chargeable. We were founded in 1856, consequent upon a Motion of the late Lord Stanhope. What a student of history, what a critic, and judicious appreciator of art, he was, it is unnecessary for me to state. Lord Stanhope made a Motion in the House of Lords, that it was desirable that a Collection of Portraits, illustrative of English History, should be created. That Motion met with the approbation both of the Government and of the House, and Trustees were accordingly appointed. Of this Board our present Chairman is Lord Hardinge, a most accomplished artist, and of his Colleagues are the Earl of Beaconsfield and the right hon. Member for Greenwich (Mr. Gladstone), the Dean of Westminster, the President of the Royal Academy, the Earl of Derby, with Sir Coutts Lindsay, Lord Somers, Lord Ronald Gower, Lord De L'Isle, Mr. Shirley, Mr. Cochrane, the Lord President (officially), the Marquess of Bath, and I must add myself. It is on the behalf of these Trustees that I now appeal. Among those who have been Trustees in former times there are such names as Lord Stanhope, the famous Lord Lansdowne, the first Lord Ellesmere, Sidney Herbert, the present Lord Salisbury, Macaulay, Mr. Carlyle, Bishop Wilberforce, Sir George Lewis, Sir Francis Palgrave, Sir Charles Eastlake, and last, that friend, whose death everyone has so much lamented this year, Sir William Stirling-Maxwell. The Gallery started with a noble gift from Lord Ellesmere of the famous Chandos Shakspeare. The acquisition was made of a house in Great George Street, and it opened in January, 1859. In that year 5,305 persons came, despite the restricted collection. In 1868 the visitors to the George Street Gallery had increased to nearly 25,000. In the next year—1869—that miscellaneous collection of sheds, which had in 1862 been the scene of so much noise and confusion, and of many unpalatable meals — the Exhibition buildings—fell into the hands—partly of the Government, and partly of the Commissioners of the Exhibition of 1851—and in the former portion, rooms were assigned to the National Portrait Gallery. They were rooms having the advantage certainly of being able to hold pictures to a certain advantage in a fair light; but otherwise very undesirable, from the thinness of the walls, the badness of the floor, and the risk of fire in such a temporary structure. Such as they were, we moved down into them; and in 1870 the number of visitors had shot up to nearly 59,000. In the year 1871 it grew up to 63,000. The year 1876—being the year of the Prince of Wales' India Exhibition and the Exhibition of Scientific Instruments—was an exceptional year; and then there were more than 100,000 visitors. Of course, it could not go on at so high a level; and in the year after—1877—the attendance had fallen down to about 80,000. But I put it to this House, that a public collection which has in the course of a year been visited by 80,000 persons, is no mean contribution to the education or the recreation of the people of London and the country. At present, I suppose, a great many Members are familiar with the Gallery. To those who are not, I may tell that the practical space at the disposal of the Exhibition is a long gallery, of which the extent has been eked out by cross-screens, with a staircase at each end; and that it is approached by a long temporary passage between the entrance of the Horticultural Gardens, and that magnificent pile which is at present rising to receive the Natural History Collection of the British Museum. We have in the collection some 488 pictures, and we have also 50 busts, bronze statues and casts—for the National Portrait Gallery, be it noted, is not merely a collection of pictures. It is emphatically a collection of portraits of distinguished English persons, or of persons connected with English history. Therefore it admits pictures, drawings, busts; and it has created lately a very interesting series of bronze casts, carried out by the Elkington electrotype process, of monuments of Sovereigns and other persons, which are otherwise difficult to see, and cannot otherwise be brought into one conspectus. We have Robert Curthose from Gloucester, and Henry the Seventh and Elizabeth of York from Westminster, where you can hardly see their effigies on account of the intervening metal screen. We have the historical "*Sic Sedebat*" statue of Bacon from St. Albans, and his Sovereign Elizabeth. We have others which I need not name. We have drawings, we have autographs. In fact, more and more is the National Portrait Gallery becoming an historical gallery. Of course, in a gallery so constituted, the merit of the artist is not the first concern; but among our painters we may reckon names like Lely, Kneller, Reynolds, Gainsborough, Opie, Lawrence, and Landseer. Therefore, even as a collection, it is very valuable; and its present worth is set down at £50,000, consigned to rooms miserably temporary and dangerous. Well, such as they are, we are in these rooms. I do not pretend—no one who is connected with the gallery does pretend—to like it; but as it is, so long as we are like the children of Israel dwelling in tabernacles, at least, let our tents be wide enough to hold us. In 1874 a negotiation that did not come to much was vaguely set on foot to give us those galleries running from north to south on the west side of the Horticultural Gardens, in which a dead-alive ghastly after-thought of an International Exhibition crawled on for a few years, until it collapsed from inanity. Well, after the unwept end of that Exhibition, those galleries were vacant; and in 1874 we heard that they might possibly be transferred to the National Portrait Gallery. The Trustees said, as they always had said, that they would be very glad indeed to change; but this insuperable difficulty—at least, if not insuperable, this very great difficulty—intervened, that under the strange and complicated arrangements which characterize all the South Kensington Art property, these galleries were not the property of the Government as the Government, but of the Commissioners of the Exhibition of 1851. Therefore, it fell out that the Government to which we looked, could not obtain possession of those galleries on behalf of the National Portrait Gallery except at a very high rental. So those negotiations fell through, while our wants remained the same. In 1876 the noble Lord the Member for Chichester (Lord Henry Lennox) who was at that time First Commissioner of Works, addressed on the 29th of February a communication to the Treasury. I am now referring to a Parliamentary Paper which has been printed and distributed about a week, from which I shall be able briefly to run over the salient points. On February 29, 1876, the noble Lord writes to the Treasury acknowledging a letter, and enclosing one from the Commissioners of Patents asking for more room, in which he refers to that portion of the South Kensington Buildings now under consideration. The First Commissioner observes—

> "The South Kensington Museum authorities have been permitted to occupy these galleries until they should be required for other purposes, and the time for their surrender has now arrived. I therefore beg to suggest to your Lordships the following arrangements."

This is a most important statement. Here are certain rooms which have only been lent, and as to which two years ago it was said that the time was up, and the occupants must vacate. What are these rooms? I shall often have to refer to them. They are rooms some immediately adjacent, and others just under, those at present occupied by our gallery. They stand at the end of, and beneath it, forming part of the same block; they are space which, so long as we are to continue in our present lodgings, are the rooms which emphatically might be easily added to us, and that we beg may be added to us. We claim that they shall be added to us, as making our present temporary location, at least in the way of elbow-room, tolerable. But to return to the Paper—

> "The South Kensington Museum authorities have been permitted to occupy these galleries until they should be required for other purposes, and the time for their surrender has now arrived. I therefore beg to suggest to your Lordships the following arrangements."

First, the noble Lord proposes to assign a certain portion of the building to the Patent Museum. Of course, we had nothing to do with that. But then he goes on to say—

> "The Portrait Gallery requires more room, and I propose to assign to them the ground floor of the space marked XXII., together with the upper floor of the part coloured blue and marked with a cross."

To those who are not familiar with the place, I should explain that this space marked "XXII." is the gallery under the existing Portrait Gallery, which is now used for the valuable purpose of the Educational Exhibition, so called, of the South Kensington Museum, as to which I shall have a little to say presently. The "part coloured blue" is the first of the rooms beyond the Portrait Gallery, and one of two large rooms where was the great restaurant during the Exhibition of 1862. They have been used for miscellaneous objects ever since—sometimes for the exhibition of naval models, sometimes for one thing and sometimes for another. But, two years ago, on February 29, 1876, it was suggested that they should be surrendered to us for the Portrait Gallery. That was the suggestion of the then First Commissioner. On the 13th of March, accordingly, Mr. Lingen, the Assistant Secretary to the Treasury, replies to the Chief Commissioner—"The Treasury agrees to the proposal as above," but with two conditions. The first was about the naval models—which I will not trouble you with; and the second was—

> "No work now nor hereafter, without further reference to this Board, be undertaken beyond what is required for immediate purposes,"

—that is reasonable enough—

> "and is such as in nowise commits the Government to a definite mode of occupying these premises, the ultimate disposal of which is uncertain."

Nothing, of course, could be more satisfactory to the Trustees of the National Portrait Gallery than this general stipulation; for, much as we wanted additional space, we might pause—we ought to have paused—before we accepted that concession of additional space as amounting to anything like an obligation upon us to remain for evermore contented with our present unsafe and inadequate accommodation. We asked for it as temporary accommodation. Mr. Lingen says, emphatically, it shall be temporary; and nobody wants a more satisfactory reply. That was about two years ago. On the same day, Mr. Lingen writes to the Trustees of the National Portrait Gallery, giving to them, and defining the rooms so assigned by that letter of the 13th of March, 1876. Well, at that time you might have said the sun had come out early in spring; but three days after we had the usual result, for a spring frost overtook us. Another letter came from the Board of Works, saying that they were unable to make provision in the Estimates for the extension, or for a more convenient approach, from the main road. That, of course, damped our hopes for that year; but it did not cancel the standing promise, and, on the 29th of September in that year, our secretary, Mr. Scharf, wrote a letter to the Board of Works recalling the promise of March, and proposing, in the name of the Trustees, certain suggestions as to how to lay out the space which we had every right to suppose our own, and, above all things, calling attention to the danger of fire incurred within the last few months by the introduction of gas jets. Will the House readily believe that in this building, so temporary, so combustible, so crammed with everything in the world that would blaze away like tow and pitch, the authorities, whoever they may be, had actually without telling us—the Trustees of the National Portrait Gallery—Trustees, in the name of the Queen, of that magnificent collection which could not be replaced, and containing works of art worth £50,000, though the mere money value is the least thing—laid gas pipes in that place? Is not that inconceivable? And two years ago they opened a department of cookery, and put a furnace down there just under our rooms—a furnace, with everything ready for a bonfire. I have some difficulty in bringing this matter before the House, for I cannot divest myself of the idea that I am a nurse speaking to a lot of little girls in muslin frocks about not playing with lucifer matches—the cases are identical, but not the way of meeting them; for the nurse has a right to scold these naughty little girls, as it would not be respectful to scold Her Majesty's Government, for they are persons of ripe age, in full possession of their faculties; majors in the eye of the law. On November the 6th, 1877, Mr. Scharf, our secretary, again protested against the introduction of gas into the central building. Mr. Lingen, in replying, on the 20th of November, 1877, enclosed a copy of a letter from the Chief Commissioner, and stated that for these reasons—

> "My Lords are of opinion that they would not be warranted on the statement before them in prohibiting the use of gas in the galleries needed for the Civil Service examinations."

That brings me to another point. What had been done with these rooms that ought to have been ours during the last two years? I shall, before I have done, explain the condition of the lower gallery. The big room upstairs was turned over to the Civil Service Commissioners for examinations. There it still is, with tables, benches, ink-stains, ink-pots, and everything else to match; and accordingly the Civil Service Commission, which I suppose is not so very poor, has taken the ewe lamb of the National Portrait Gallery. But what is the drift of the enclosure in Mr. Lingen's letter from the first Commissioner? He says it is impossible, without having this gas, which was laid on without notice to us, for the Commissioners to examine in winter. And, therefore, because the Civil Service Commission, which might examine where it pleased, chooses to examine in these rooms, this Portrait Collection is to be subjected to this enormous and unnecessary risk. What can be so preposterous as that? Then he goes on to say that the South Kensington Museum is always to be seen by gas. Of course, that may be so. I trust it may prove safe. But it was built with the intention of being fire-proof, so that gas might be used without danger accruing. These committee rooms, however, these refreshment sheds, these temporary ebullitions of the Exhibition of 1862, were constructed—cheap, nasty, and rapidly—of the most inflammable materials possible. There is more balm in Gilead yet. At last we are told, as a great comfort, that "gas pipes also run under the gallery immediately under the National Portrait Gallery." We complain of gas being next door, and they reply—"Never mind, dear fellows, the gas below you is much more dangerous. Bless your stars you are not worse off." That was on the 1st—not the 5th—of November. The next letter was sent by Mr. Scharf, to point out that the National Portrait Gallery building was temporary and combustible, while the South Kensington Museum was the contrary; and observe that there was no gas either in the British Museum or the National Gallery. Well, but this building, which I have shown to be combustible, is also in every way unfit for pictures, except in the last resort. The floor is made of rough wood —so rough that it never can be washed down or cleaned; and the consequence is that there is a perpetual cloud of insidious dust rising from it, to the very great detriment of the pictures, which are plainly suffering from it. Not one of those arrangements which modern science has, with eager emulation, been following in the galleries of London, Vienna, Dresden, and all over the world —not one of those appliances can in the most rude, rough, rudimental way be applied to our gallery. Yet we submit for the present, and at least we contend for getting this ground-floor gallery. That, I believe, would give us a foundation on which we could plant our busts, our statues, and our casts, which, of course, are very heavy, but which could be set up there. At present they are put on brackets against one of the boundary walls, which is luckily included in our lot, and against which we are able to place them without fear of some frightful catastrophe.

Now, I must direct the attention of the House to another circumstance very briefly. Within a year after the creation of our gallery, Lord Stanhope, who was himself both Chairman of the Trustees of the Portrait Gallery and one of the Trustees of the British Museum, communicated with the British Museum, in the person of its principal librarian, Sir Antony Panizzi, under these circumstances. There was, and is, a collection of portraits belonging to the British Museum, which had been gradually accumulated there before either the National Gallery or the National Portrait Gallery were formed. But in the British Museum it was comparatively useless, forming no proper part of its scope; and, there being no proper place in which to show them, these pictures were left in obscurity, hanging up behind the natural history casts. They are not portraits exclusively of Englishmen; but a large portion of them — probably 88, as I computed by rapidly running through the list — might come within our scope. Lord Stanhope, in making this application in February 1857 to the British Museum for a loan of their pictures, gave a pledge, on behalf of the Portrait Gallery, that, if the British Museum looked favourably on his application, the National Portrait Gallery would, of course, avoid—unless in very special cases—making purchases of portraits which might be the same, or nearly the same, as those which are now in the Museum. Sir Antony Panizzi, on behalf of the Trustees of the British Museum, very heartily answered, on the 3rd of March, that the Trustees would have great pleasure in meeting the wishes of the National Portrait Gallery Board, so far as they might have the legal power; and so the matter stood. There is no doubt—not a shadow of doubt has been thrown upon it from that day to this—that the legal power exists. Then the British Museum has lent pictures under similar circumstances to the National Gallery. The portraits are virtually assigned to the National Portrait Gallery by the British Museum; they only wait to be moved until the gallery has wall space or screen space whereon to hang them. The National Portrait Gallery has, with wise economy, followed out for 21 years the pledge then given—not to buy portraits identical with those in the Museum. And what is the result? That, interesting and full as our collection is, with its nearly 500 portraits, there is no picture of Bacon or of Oliver Cromwell; no likeness at all of Newton or Commodore Anson, or Speaker Onslow, or Cranmer, or Usher, or Baxter, or George Buchanan; or of the antiquaries Camden, Dugdale, Spelman, and Cotton. All these great men are in the British Museum, but they will be virtually part of the National Portrait Gallery, we trust and believe, as soon as the National Portrait Gallery can be a good hospitable host to them. The application was not for a present of the pictures. The Trustees cannot give away their property, though they can lend it. We only asked them to do by us what it was legally open to them to do, and what they have since done to the National Gallery, and what, if conceded, will make the National Portrait Gallery infinitely more interesting and complete than it at present is.

Well, you may ask, having done with the examination room—what is the other important thing that keeps us out of the downstairs gallery which I have mentioned; what is there there at present which we should have to turn out if we went there? I have already pointed out that the occupying tenant is what is called the Educational Exhibition of the South Kensington Museum. No doubt, education is a grand thing. Nobody in the world would say a word against it. Nothing could be better, no feature more worthy of a great nation, than an Educational Exhibition. But no man can conceive what this one is. I would invite the House; you, Sir, and Her Majesty's Ministers, to go and see that Educational Exhibition which fills this gallery for which we are sueing. It would elevate all your minds. It would charm your taste. You would see there a very large assortment of globes, and all of them with their prices marked, which run up from 18*d.* to £18. You would see—the Chancellor of the Exchequer, I am afraid, would look at them with envy—*fac simile* nuggets from Australia. There is also a beautiful collection of magic lantern slides. Then there is something as to which I must throw myself on the indulgence of the House, for I find it utterly impossible to explain what it is. You will find there the "Foundations of Takimetry." Then there are charming doll houses, dolls, puzzles, and a quantity of those pretty pink shells you can buy at Margate and Ramsgate. There are also painted beasts and birds; some nice water-colours, such as you may see in the national schools; a great many benches; and, finally, 14 clocks, none of them going, and four of them made by Sir John Bennett. This, Sir, is the National Collection, which keeps Newton and Cromwell, and Cranmer and Usher, and Bacon, and other great men, out of the sight and appreciation of the people of England. I appeal to you whether such a state of things ought to continue any longer? I have put my case fairly before the House. I do not pretend to say that the galleries we are in are galleries we should like to occupy. So far as mere arrangements go, they are very inconvenient. But beyond that inconvenience, there is this risk—which really is almost too painful to dwell on—of immediate and perfectly helpless destruction. Still, as they are, and such as they are, until we have—as we have a right to claim in some future years, when there may not be such a pull on the Estimates as we have now—some proper, decent, and sufficient National Portrait Gallery, I contend that we have on all accounts every reason to claim, at all events, from Her Majesty's Government their fulfilment of their promise of two years ago. Thinking and believing I have made that plain to the House, I beg leave, Sir, to move the Resolution of which I have given Notice.

Lord FRANCIS HERVEY, said, he desired to second the Motion as one who had no official connection with the Gallery, and simply as one of the public who valued historical works of art. It was an anomaly that works of art and portraits of distinguished Englishmen should be kept in obscurity to avoid the cost of finding the necessary accomodation. He read with humiliation and shame the Correspondence which had been placed in their hands, for it seemed almost to indicate a conspiracy to prevent the portrait collection acquiring the value which it ought to have for the nation, considering that it comprised authentic portraits of all the Sovereigns and Princes of the Realm from the time of the Plantagenets, and of many distinguished Englishmen. The words of Charles Surface might well be applied to the nation; and with justice one might exclaim—"How little this nation cares for the portraits of its ancestors!" Surely no one could pretend to be satisfied with matters as they were now? His hon. Friend the Member for the Cambridge University was entitled to demand from the Government that these works of a historical and national character should be protected from fire and flame, and from the dust and dirt of the place in which they were now stowed away from the public sight, and from that inspection which no doubt would result in the instruction and benefit of the people.

Motion made, and Question proposed,

"That, in the opinion of this House, the time has come for the Treasury to carry out the promise made by it in March 1876, of appropriating certain specified portions of the Exhibition Buildings at South Kensington for the accommodation of the National Portrait Gallery, in addition to the apartments already occupied by that Gallery."—(*Mr. Beresford Hope.*)

Mr. W. CARTWRIGHT said, the question was one of real importance; it was, in fact, whether a collection of pictures which was national, and which had been considered of sufficient importance to receive an annual subsidy, should continue to be relegated to a lumber-room? His hon. Friend the Member for the University of Cambridge had already drawn attention to the condition of the building in which these pictures were at present housed; and, from a personal inspection made since this Motion had been upon the Paper, he could corroborate all that he had said, and declare that the dangers by which the pictures were surrounded were real and not imaginary. The building was in part a wooden shed, in part lath-and-plaster, with just the amount of brickwork necessary to keep the whole structure together. Therefore, it behoved the Government to look seriously into the question. The rooms which were originally promised were promised before it was necessary to apply the space to the Civil Service examinations. It would be well for the present to suspend the proposed transfer of some of the rooms for the purposes of these examinations until some other arrangements should be made in favour of the Gallery; but, if such arrangements could not be made, then it ought to be a question whether it was desirable to transfer the Gallery elsewhere? Meanwhile, he thought it necessary to enter his protest against the action of the Treasury in the matter.

Sir EARDLEY WILMOT said, he should not have offered any observations, had it not been for the frequent opportunities he had had during the last few months of visiting the picture and sculpture galleries abroad; and on all occasions he had been forcibly impressed with the contrast presented by them with those of our own country, which were greatly inferior in the accommodation they presented for works of art. He, therefore, thought the House and the country were much indebted to the hon. Member for Cambridge University for bringing forward the question of our National Portrait Gallery, and he (Sir Eardley Wilmot) should certainly cordially support him in his Resolution. They might recollect that it was one of the customs of ancient Rome that on solemn festivals and public holidays the busts and statues of its heroes and illustrious men were carried in procession through the streets, in order that the citizens, looking upon that solemn ceremony, and seeing the respect thus paid to their memory for great services done to their country, might be led to emulate their noble deeds. Although we might not follow the Roman example, yet by providing more commodious and accessible places for the portraits and historical pictures of our eminent men, and by affording the public greater facilities for seeing them, while, at the same time, we encouraged high art and culture, we might cherish the memory of illustrious actions, and lead our youth and all classes of our fellow-countrymen to admire and respect, the doers of them, and endeavour to follow their example. Of the importance of this he had been made more sensible by the want of reverence for the past, and for those who had gone before us, which was one of the characteristics of the present age. Mention had been made of gas and firing by an hon. Member; and he might observe that in no foreign gallery which he had visited was gas admitted—not only on account of the danger of conflagration, but also because it was felt that the use of gas had a gradually, but certainly deleterious, effect on the pictures or statues; and he found it was even a subject of complaint, sometimes among visitors to the Italian galleries, that in winter they were closed somewhat early, in consequence of there being no provision made for lighting them. He could not help expressing his regret that our country did not afford greater facilities to young artists to copy the great works of art abroad; and the hon. Member for Cambridge University had used an expression in which he (Sir Eardley Wilmot) fully concurred—namely, that he felt humiliated by the inferior advantages in our own country when compared with the liberal encouragement extended to genius abroad, where magnificent galleries and buildings, both public and private, contained works open to every one to admire and copy. He joined in the appeal made to the Secretary to the Treasury, not only to find more ample and suitable accommodation for the portraits now at South Kensington, in places where they could be seen—the rooms containing them were used for various other purposes—but also to provide for the reception of those numerous worthies now in the British Museum, many of whom had been enumerated by the noble Lord who seconded the Resolution, and who surely deserved a better fate than to hang there unobserved and forgotten. While on the subject of this Portrait Gallery, he (Sir Eardley Wilmot) might, perhaps, be allowed to advert to what was not strictly belonging to the question before the House—namely, the opening of public galleries, gratis, on Sundays. He had uniformly voted against that proposal; but he must say, that, after having seen the galleries abroad, and the pleasure and enjoyment they afforded to those classes which were necessarily debarred from visiting them during the working days of the week, and the orderly way in which the visits were conducted on Sundays, he could not help feeling that this privilege might safely be extended to the working classes of our own country, and he was sure they would show themselves as worthy of that privilege as the people of other nations. He should cordially support the Resolution of the hon. Member for the University of Cambridge (Mr. Beresford Hope).

Colonel STANLEY said, he should be happy indeed, if in the few remarks he had to address to the House, he could excite the amusement or attention which his hon. Friend's observations had caused. He confessed that if it had not been for the infectious good-nature which they always recognized in him, he should have felt that the inflammable nature of the building in which the National Portrait Gallery's collection was stored had communicated itself to the Trustees, and for some moments he almost felt like those naughty children of whom the hon. Gentleman talked as deserving a scolding. Turning in all seriousness to the points advanced, he felt bound to say that both from the perusal of the Papers which had been laid before the House, and from what he had himself seen, he was disposed, although he could not on the part of the Government accept the terms of the Motion, to go a very long way with the hon. Gentleman (Mr. Beresford Hope) in the objects which he had in view. Hon. Members who had studied this question, and indeed all who had read the Papers, would bear in mind that, roughly speaking, on the south side of these buildings there was a central block which was used as the refreshment department of the Exhibition of 1862. It was that part which stood on the right or to the eastward of this central block with which they had in this instance to do. The principal portion of this was occupied by the National Portrait Gallery. He would venture to say that anyone who had ever seen these pictures could not help coming to the conclusion that the collection was worthy of the utmost development, and also that it was insufficiently housed at the present time. He understood that besides the 450 or 500 pictures now in the Gallery there were 60 to 80 more ready to come in as soon as wall.space could be found for them. Then the question was, in what manner could the relief be given? In 1876 there was a proposal to increase the space of the National Portrait Gallery by two additional rooms, one of which was on the ground-floor immediately under the present Gallery, and the other the easternmost division of the central block. The central block was now occupied by the Civil Service Commissioners, and he was bound to admit the truthfulness of the description given of it; and, indeed, it might well bear to some of the candidates the idea of a chamber of torture. The portion proposed to be given up, however, was only about one-third of the upper storey of that building; and his right hon. Friend the First Commissioner of Works informed him that the structural details would render it extremely difficult to screen off such a portion in a manner which would make efficient provision against fire. It would be very difficult to give up that portion of the centre block, though he was willing to confess that it was intended, in the first instance, that they should be allotted to the National Portrait Gallery. The Civil Service Commission occupied the central block for 60 days in the year, and it would cost some £1,200 a-year to provide the same accommodation elsewhere. He would now state what, with the concurrence of his right hon. Friend the First Commissioner of Works, might be conceded to the Trustees—namely, the portion of the building which was under the present Gallery. To this his hon. Friend (Mr. Beresford Hope) offered two objections—one on the ground of insufficiency, the other on the ground of danger from fire. So far as the first objection was concerned, he thought it would be met by an offer which, if accepted, would double the accommodation the Trustees now possessed. It would be only necessary to construct two doorways—one right and one left—a small covered way, and also a staircase at each end, leading to the gallery above, which would enable visitors, when there was a large attendance, to circulate without inconvenience. It would, of course, be necessary to remove the objects which were now exhibited there. Large cases of pencils and remnants of school desks were, no doubt, of great value to those who were interested in education; but they had been in their present position for some years, and the time had arrived when it might be said that they had served their purpose. It was, therefore, his intention, and he believed that of his right hon. Friend the First Commissioner, to press upon the Science and Art Department that, without doing away with a collection to which they attached value, they might select the objects of undoubted interest which it possessed for exhibition elsewhere and allow the rooms he alluded to to be given up forthwith to the Trustees. A more formidable question had been raised, however, in the course of the discussion—namely, whether anything that could be done on the present ground would meet all future requirements. That was a very large question, one which involved several Departments of Art and of Science, and affected those who were interested in historical collections, antiquities, and other matters of that kind; and he trusted he might be allowed not to say anything with respect to it at present, lest some hasty expression might, perhaps, hereafter ripen into a crop of disappointments. In these matters they were obliged, to a certain extent, to live from hand-to-mouth; and he hoped that, pending the settlement of the larger question, his hon. Friend would accept the extra accommodation of which the trustees were in want and which he hoped they would at once obtain. He was, he confessed, somewhat frightened at the long list of English worthies to which his hon. Friend had alluded. What they should look to now was the practical question whether, without prejudice to anything that might be proposed in the future, the additional accommodation he had spoken of should not be accepted as an instalment. It would, at least, be an encouragement to those who might be willing to offer their pictures for the enjoyment of the public. In one of his letters the Secretary to the Trustees had spoken of the necessity of erecting pedestals on the ground-floor. He trusted that when they were erected, and when the friends of the hon. Member for Cambridge University presented him with a statue of himself, it would be placed on one of the pedestals, so that his hon. Friend might gaze over the work he had accomplished. What he had proposed had at least this merit—namely, that it could be proceeded with, probably, at once; but the House would allow him to make this reservation, that in the absence of his noble Friend the Vice President of the Council—through illness, he regretted to say, but who, he had no doubt, would assent to his proposal—he could not, the responsible Minister not being present, give a positive promise on the subject.

Mr. BERESFORD HOPE, in reply, thanked his hon. and gallant Friend for the candid, satisfactory, and straightforward answer he had just given. He joined in the regret expressed as to the cause of the absence of his noble Friend the Vice President of the Council, but he willingly accepted a limited promise which was accompanied by such words as "forthwith" and "at once." He wished to supply an omission in his speech and record a very valuable gift which had been added to the Gallery by the wisdom and generosity of the Serjeants of the late Serjeants' Inn, consisting of their series of eminent lawyers and judges in 26 pictures, some by artists of fame, besides engravings, and state that that collection was already in the Gallery.

Mr. MITCHELL HENRY regretted that the time of the House should have been taken up by a discussion of this kind, when the matter might have easily been settled by the authorities at the Treasury.

Motion, by leave, *withdrawn.*

ENDOWED SCHOOLS (BIRMINGHAM SCHEME, &c.)

MOTION FOR AN ADDRESS.

MR. JOHN BRIGHT: Sir, I am sorry to be obliged to take up the time of the House with a question which to the House may appear not of great importance; but by the constituency which I am here to represent, it is considered of the greatest importance. I regret very much the noble Lord the Vice President of the Council (Viscount Sandon) is not present; and I regret, as I am sure we all must, the cause of his absence. But by Act of Parliament only a certain time is allowed—I think 60 days—after a school scheme has been laid upon the Table, wherein the propriety of that scheme can be questioned. Therefore, although I have put off my Motion in the hope the noble Lord might be present, I am compelled to bring it on now, or I may have no other opportunity, and the scheme may receive the sanction of Parliament unquestioned. My Motion is—

> "That an humble Address be presented to Her Majesty, praying Her Majesty to refuse Her assent to the Scheme of the Endowed Schools Commissioners for the management of the Free Grammar School of King Edward the Sixth in Birmingham, and for the management of the Foundations of John Milward and Joanna Lench, in the county of Warwick."

The school, as I need hardly tell the House, for many hon. Members are well acquainted with it, is one of the most ancient character, having come down to us from the time of King Edward VI. It was not exactly established, but it was restored, by that Monarch in 1552. The importance of this school will be at once recognized when I inform the House that the increased value of the present income is £15,000 a-year, and that the number of children receiving education is not less, if it is not more, than 2,000. The town of Birmingham, therefore, may be forgiven if it takes the greatest interest in this educational institution, and with my constituents, the question I am now asking the House to consider is regarded as one of considerable importance. There have been many past efforts made in the town for the improvement of the management of the school. Going back to 1842, the town council of Birmingham, representing at that time the population of that great town, humbly asked that five members of a representative character might be admitted to the board of governors of the school; and again, in 1861, they endeavoured, by means of a Private Bill, to obtain a Private Act to enable the mayor and ex-mayor of the town to be members of the governing body; but in both these attempts they failed. In 1866 the Schools Inquiry Commissioners inquired into this school, as they did into many other schools in various parts of the country. They recommended that out of 21 governors, 10 should be appointed by the town council of the borough; but the town council were not satisfied with this, and wished that the whole power of management should be transferred to the corporation; but every proposition, every attempt at reform made in past years to give the direction into the hands of the public of Birmingham, through their municipal body, has been persistently, continuously resisted by the governors of the school. The School Inquiry Commission reported upon this school, and one or two extracts I may give the House. They state that scarcely a child of the poorest of the population was to be found in the school; but almost the whole benefit of this great charitable educational institution was given to the superior classes. They say that the well-to-do tradesman sends his son to the school free, for the school is free, and has been so for 300 years. But the tradesman's porter sends his son to the national school, where he pays for his education 2*d.*, 3*d.*, or 4*d.* a-week, as the case may be. Canon Miller, a clergyman well known to many, and then a resident clergyman in the town, said the effect of the principle of self-government has been that members of all the Nonconformist Bodies are particularly excluded from the management of the schools. Now, I need not tell the House what is the general feeling in Birmingham when such is the state of things; for if there is a town in the Kingdom where Nonconformists are numerous and influential, Birmingham is the town which must specially be pointed to. There were some other points in the evidence to which I might refer. One witness, a resident of eminence and influence, stated that up to that time no member of the town council had even been elected to the board of governors, and no Member of Parliament for the borough had ever sat on the board with one exception—and he believed he was elected before he became a Member of Parliament—the late Mr. Spooner, a Member of the Party opposite. It was stated further that up to that time 23 gentlemen had held the position of Mayor of Birmingham, but not one of these had been elected to the board. I believe that up to now 30, if not more, gentlemen have occupied that eminent position—Mayor of Birmingham—and I understand some relaxation has taken place, and two of those who have occupied the office of mayor have had a seat on the governing board. As might be expected, other things have followed this system. It was represented that the expenditure for the classical branches of education was large and expensive, while the provision made for elementary branches of education was insufficiently small. I could say more; but throughout the whole establishment from end to end the advantage of the schools came to that class who are represented on the board of management, and the intentions of the founders of this great educational institution are frustrated solely on account of the manner in which the governors of the school are appointed. The Endowed Schools Commission, which investigated the whole subject, presented a scheme in 1873. That scheme did not please everybody, but still it was such that it received a large share of support, and if it had been passed it would have settled the question. It was not called in the House of Commons; but it was opposed in the House of Lords by the Marquess of Salisbury. I have taken the trouble to read the debate that then took place, in order to ascertain on what grounds that scheme was rejected, and, as I think, most unfortunately rejected. The Endowed Schools Commissioners proposed in that scheme that the schools should be under a board of 21 governors—eight were to be what are called co-optative governors, one was to be appointed by the teachers—male and female—in the school, eight by the town council of the borough, and four by the school board of the borough. In that case, there would have been 12 representatives of the corporation and school board, eight governors self-elected, and one elected by the teachers, and the majority would be with the representative class, the school board and corporation. This compromise would have been accepted generally in the borough; but, unfortunately, the other House of Parliament rejected it. The ground of the objection to the scheme was that there was not sufficient provision for religious instruction in accordance with the views, belief, and practice of the Church of England. I believe that this objection was made under mistake, for I cannot, after reading the words of the charter, believe that anybody concerned in it had any idea to shut out the majority of the people of Birmingham from the benefit of this school. The only ground upon which that argument seems to be founded is, that a Bishop—I think the Bishop of Worcester—is the Visitor of the school, and, in concert with the governors, does certain things in the fulfilment of his duty. It was urged that, because a Bishop was in the matter, nobody but those who believe in Bishops had a right of entry into that great institution, on the ground that the scheme was rejected by the other House of Parliament, and it failed with regard to the question of religious instruction. That was the ground upon which the other House of Parliament rejected it, and if this House was to take the course pursued by the other House on that ground it would reject this scheme. The scheme having been rejected, it fell to the lot of the Charity Commissioners, who have succeeded the Endowed School Commissioners, to found a new scheme, and in this new scheme they have adhered precisely to the course taken by their predecessors as regards religious instruction. I do not want to discuss the religious system at all. I am quite certain the Government in this scheme will take all needful means to give such religious instruction as they think wise to the scholars who are under their care. The point I want to call the attention of the House to is the constitution of the governing body. The people of Birmingham object to the scheme of the Charity Commissioners on this, among other grounds—that, whereas the school has been free for 300 years, it is now proposed to establish a system of fees. I formerly thought that free schools were not so good as schools in which some fees are payable; but I confess the more I consider the question the more I am inclined to think that the opinion was not a wise one, and that a free school after all is something better than where something would have to be paid. If I wanted an illustration or an argument to support that view, I would point to a remarkable case in the city of Edinburgh, where the schools contain from 4,000 to 5,000 children—schools which have been established by the accumulated funds derived from Heriot's Hospital; and I learn from good authority that in the attendance of the children in free schools there was a very large percentage of the children whose names are on the rolls attending schools, and that the general advantages of free schools are shown in the city to be altogether indisputable, and such as might well afford, in my mind, and, I might add, in the minds of others, a change of opinion in regard to the general advantages of free schools. But I shall leave that question, and I think my hon. Friend who will follow me, who is more acquainted with that subject, will deal with this question when he states his views to the House on the point. With regard to the constitution of the governing body, the present scheme proposes that out of the 21 governors, nine should be co-optative or self-elected. The town council shall appoint eight, and the teachers, men and women together, shall appoint one. There remain, then, three governors to be appointed elsewhere or by some other authority. In the proposed scheme of 1873 four were appointed by the school board, they being representatives of the population of Birmingham just as freely and clearly as the town council is. In this case, instead of giving eight co-optative governors, this scheme proposes nine—eight by the town council and one by the teachers, and three elected by the three Universities of Oxford, Cambridge, and London. What the corporation and the people of Birmingham object to is that the majority, which in the scheme of 1873 was given to the corporation and the school board, is reduced to a minority, the school board being altogether got rid of, The co-optative members are increased by one, and three members are to be appointed by Oxford, Cambridge, and London Universities. If the right hon. Member for the London University (Mr. Lowe) were here I would ask his opinion whether it would be well to give these three Senates power to appoint a governor of a school of a town with which they have no connection, and about whose circumstances they may be held to be entirely unacquainted. I am not arguing the question between the town council or the school board; but I think this will be clear to the House—that on the whole, if you have eight or nine members to be elected by the town council, it is the simplest way altogether to allow the representative members to be elected by the same body, whether it were a town council or whether it were a school board. The representative system should be adhered to, and the people, to a large extent, would be satisfied. I believe the public of Birmingham would prefer the three members to be elected and appointed by the corporation rather than the matter should be under the control of the three Universities. I would like to ask the House one simple question. I was looking last night into a very interesting book, which I believe nobody has ever read through — I refer to *Whitaker's Almanack* — and I looked to see who were the Charity Commissioners. I will not mention their names; but I think five of them sat in London, and no doubt they performed their duties to the best of their knowledge and capacity. I would like to ask whether these five are more likely to know what is better for this great school at Birmingham than the town council, the school board, or the public of that great city. The town council it is admitted throughout the Kingdom is one of the most eminent of our municipal bodies. It has the management of the gas works of 300,000 or 400,000 people; it has the power of laying out large sums for the supply of water to that great population; it has the paving of streets and the management of the sewage of the town, and also the management of the police; it has also the conduct of all that is necessary for the sanitary condition of the town. Now, the school board is a body of which the public has heard a great deal. I believe there is no school board in the Kingdom that has done more for education than that of Birmingham, excepting the School Board of the City of London. The Birmingham board has the education of 22,000 children, and Parliament has entrusted that board to be elected by the ratepayers of the town, and they have the care of the education of a vast number of the children of that population. I should say that the Universities of Oxford, Cambridge, and London have no pretence of pointing out to the corporation or the school board of Birmingham the knowledge of the wants of that town as regarded the great educational question. In the scheme there is a description of the classes to be appointed on the board, and it states that no person shall continue to be a govenor unless he carries on a trade, business, profession, or calling within the municipal borough of Birmingham or some parish adjoining thereto, or resides within a convenient distance, such distance to be determined from time to time by the governors. I should like to ask the hon. Members for Oxford, Cambride, or the London University, whether it was convenient, right, or just to the population of Birmingham, to the corporation of that great town, or to the school board, that these Universities should be called upon to select somebody in the district, and put him or them on the governing body of this school, with the expectation that these three gentlemen so appointed will be more eligible in any degree than eight or 12 that the school board might be called upon to elect. It is obvious that the plan is one on behalf of which no fair argument could be offered. Last year I went with a deputation to see the Charity Commissioners; and, though they heard all we had to say, I assert, without fear of contradiction, that they did not pretend to have any kind of argument in favour of their proposition as against that which the town made. Last summer, also, I went with a deputation to meet the noble Lord the Vice President of the Council, and the whole question was discussed before him fairly. When the deputation withdrew I stayed with the noble Lord, and was asked if I thought the town of Birmingham, on the whole, would be satisfied if, as regarded the three members for the Universities, that portion of the scheme were omitted—whether it would be opposed in Birmingham? With regard to the free schools, I gave my honest opinion that all my constituents were in favour of free schools, and that if they removed that objectionable part upon which the town felt humiliated, they would, on the whole, be fairly satisfied, and the scheme would be accepted, and no further difficulty would arise; and that, so far as I had any influence, I would advise them to accept the scheme. I confess I was very much surprised, after the question was put to me at the Privy Council, when the scheme came forth, to find that the three University members were still retained. I asked my right hon. Friend the Member for London University whether he thought the Senate would proceed to appoint anybody, and he said he really did not know. He thought, perhaps, they might have a committee, or some one person to recommend another person, and that the appointment would be made, no doubt, perfectly honestly and to the best of the judgment of the Senate. Allowing they did their best, it is quite obvious it must be better that Birmingham through its well-known and legal representative members of the corporation or of the school board—I prefer the corporation myself—it must be better that one of these bodies should have the choice of those three members rather than that they should be chosen by the Universities upon whom the duties have been assigned in this scheme. I understand that, though it is competent for me to move the omission of any clause from the scheme, I cannot propose the insertion of something else. Therefore, what I would like to ask the right hon. Gentleman the Chancellor of the Exchequer, who will no doubt reply to me, is whether he will sanction the withdrawal of the scheme for a time, and that the Charity Commissioners be given to understand that that particular point may be re-considered, and probably they might take away these three members whom they propose to have elected by the three Universities and transfer them to the corporation of Birmingham. If that were done, I believe the whole question would be permanently settled to the general satisfaction of the town, and we should hear no more of it. If it is not done, we shall have continued attempts on the part of the corporation and the people of Birmingham to get rid of this very objectionable scheme, and other means will be taken to apply either to Parliament or to the Charity Commissioners on the subject. Before I sit down, I should like to remove the impression as regards the management of the school. I am happy to say that the management of the school has undergone a most salutary change during the last few years, and there is much greater satisfaction in the management of the school than in past years. The whole of that has been brought about mainly through the corporation, who had infused into it a new spirit, and this magnificent school is now conducted in such a satisfactory way that no complaint is made as to its management. You have a great population, a great industry, great intelligence; you have a corporation directing the population wisely in all that it does; and there can be no doubt in my mind that the corporation is wise enough to take its fair share at least in the management of this great institution, whose property has been created by the industry of the town, and whose children, to the extent of 2,000, are now in the schools, who will form a large portion of the intelligent population of the town. I have made no attack on the schools or on the present Government. The course taken by the Charity Commissioners is, I think, humiliating and somewhat offensive to the town of Birmingham. I think it would be a good thing to allow the scheme to be withdrawn in the manner I have proposed. I believe I speak the opinions of a vast majority; the minority is not to be counted, it is so small on this matter; and if the right hon. Gentleman and the Government would consent to this, it would give great satisfaction to the population. In conclusion, I beg to move the Resolution.

MR. CHAMBERLAIN: Sir, I rise for the purpose of seconding the Resolution of the right hon. Gentleman. I have taken some personal interest in this matter, because I know the subject is one that affects my constituents, and indeed the vast majority of the inhabitants of Birmingham. The public bodies of the town had urged the Charity Commissioners to make a local inquiry, in order to satisfy themselves as to the state of public opinion on the subject, but the Commissioners had refused. The town council and the school board had protested against the scheme, public meetings had been held, which had been of an open character, and presided over by the mayor; and upon all these occasions an overwhelming majority has pronounced in favour of the proposition of my right hon. Friend. The objections to the scheme as it stands are stated to be twofold. In the first instance, we object to the alterations which are proposed to be made in the system, which has prevailed for more than 300 years, under which the school has been a free school. It is rather strange that I, as a Radical, representing a Radical constituency, should have to appeal to a Conservative Government not to destroy an institution which has confessedly worked well up to the present time, and which no one in the constituency desires to have altered, and which is likely to be much more useful in the future than in the past. Now that the Elementary Education Acts have been passed, and the number of children going through the public schools of Birmingham are numerous, I think we may well hope more of the poorer classes will be enabled to give their children the advantages of a higher system of education, if only the doors are not closed upon them by a system of fees. It seems that the proposal for change is made at the very moment when the poor are enabled to avail themselves of the advantages offered. We say that the school should remain free for children of all classes. If not, the whole question ought to be relegated to the governors for the time being. This, after all, is a secondary matter in comparison with what is the broad issue raised by my right hon. Friend. It was whether or no the people of Birmingham are fit to be entrusted with the management of their own schools. The scheme proposed is altogether unsatisfactory. Although the governing body was to consist of only 21 members, there were six sets of electors, residing in four or five different towns. I put it to the House, as a simple proposition, whether the representatives of the people, the town council by preference, should not have the nomination of the whole of the board; or at least, if it is considered necessary, as an experiment, to introduce other elements, that the representative element should be in a majority. There was a time in the history of the school when the majority of the governors consisted of Dissenters and Liberals, and they were so liberal that they were satisfied with maintaining a majority of one, and leaving the remaining nine to be elected by Conservatives and Churchmen; but, on one occasion, when there happened to be an election to fill two vacancies, one of the Nonconformist members could not resist the temptation of a very fine morning in May to go trout-fishing. He went, and the temporary majority of Conservatives and Churchmen thus secured elected two of their body, and no Dissenter has ever since been elected. At all events, up to recent years, no Dissenter and no Liberal had ever been elected. The result was for a long period complaints of favouritism in the nominations and of extravagance in the expenditure, complaints which had now been remedied; but distinctly in consequence of the pressure of public opinion, and not by the initiative of this self-elected board. Yet the scheme proposed to lessen the influence of this popular opinion, and to perpetuate the influence of the self-electing system, from which such grievances had resulted. The question is whether Birmingham is fit to be entrusted with the management of the school. It may be said that gentlemen are fitted to the members of a corporation which is entrusted with the management of sewage, or to be members of a school board which looks after the elementary education of the people, but have nothing to do and are not fit to be entrusted with the higher education of the people; but I say that no town in the Kingdom has shown a deeper interest in culture and in education than Birmingham. It has just been determined, with the full assent of the people, to spend £20,000 in the improvement and enlargement of its Free Library and Art Gallery, one of the finest of such institutions in the Provinces. There are thousands of members of, and subscribers to, the Midland Institute, which is one of the largest institutions in the country devoted to the work of secondary education. Sir Josiah Mason has established a Science College at a cost of £300,000 or £400,000. These things prove the interest that is taken in general culture and in higher education, and the citizens of such a town are to be denied the management of this school! It is said that town councils want intelligence, culture, and breadth of appreciation; but how is it likely they should be better if, when there is a question of culture, you say these men are not fit to undertake it? You leave it to be inferred that they find an appropriate occupation in sewage and other matters. I hope that the Government will listen to the appeal that has been addressed to them. I feel that if they do not it will be as useless to argue with them as with the master of many legions; but we shall at least have made our final protest against the scheme. It is unpopular with our constituents, and sooner or later I believe the wisdom and justice of the House will secure its revision, and give us the management of our own school.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty to refuse Her assent to the scheme of the Endowed Schools Commissioners for the management of the Free Grammar School of King Edward the Sixth in Birmingham, and for the management of the foundations of John Milward and Joanna Lench in the county of Warwick."—(*Mr. John Bright.*)

Mr. SAMPSON LLOYD said, he did not represent any interest in Birmingham, nor had he been communicated with on the subject; but he would speak as an independent Member, who had lived long in Birmingham, and knew something of its public life, at least, as far as his political opinions did not exclude him from its public offices. The question was whether a great educational foundation, 300 years old, which had done great service and sent many distinguished men to the Universities, which it was admitted had been fairly administered for many years past, should be administered under a thoughtful and impartial scheme, framed by the most competent authority, or whether the corporation, as now constituted, was a body better qualified than that indicated by the scheme to carry on the work. If it were a question of investing money raised by rates in making sewers or gas, he would say that the corporation, whether it fairly represented the town or not, should administer the funds, and the people must take the consequences. But, in dealing with funds, not one farthing of which came from the ratepayers, but were due to a magnificent act of Royal bounty, Parliament and the Crown, acting under proper advice, had the right, for the public good, to impose certain conditions on the management of the institution. What was the corporation of Birmingham? It consisted of 64 members, 63 of whom belonged to one political Party, and the sixty-fourth was expecting his doom if the threats of the Party to which the right hon. Gentleman opposite belonged were carried out. That corporation, it was known, did not represent at all a minority, which was estimated at two-fifths of the population. Again, the school board, which was composed of the same Party as the corporation, was not noted for its liberality. Indeed, it was unique of its kind. It was the only board which refused its teachers liberty to give religious instruction to the children, even out of school. Such a body, however admirable in its composition, was scarcely fitted, in his opinion, to manage the funds of a great institution like King Edward's School. He would be the last to say a word against the culture of the town; it was as good as in any manufacturing town; but town councils were elected for other than educational purposes, and for reasons which had nothing to do with education. He thought the advantage which would be derived by the school from three of the governors being nominated by three seats of learning was undeniable. This would ensure there being on the board men who knew what real culture was, and who would help in keeping up a good tone in the school. As to the corporation, he thought they had a very fair share of the representation. They had eight members already against nine co-optative members and if the corporation used their important share of the representation wisely, he thought they would be able almost to determine what should be the course of education in this school. It was highly desirable that this institution should be kept a middle-class school. There were many points with regard to fees, &c., which, however, he would not now go into; but, with regard to the statement of the hon. Member for Birmingham (Mr. Chamberlain), that the question before the House was whether they were fit in Birmingham to manage their own affairs, he desired to say that was not the question. The question was whether the Birmingham Corporation was a fit—or rather, indeed, the fittest—body to manage a middle-class school. The people of Birmingham had never been polled on whether they approved this or not; and if they were to go by the results of the last contested election, it was clear that the present corporation did not exactly represent the opinions of the town, unless it had changed since that time. Therefore, for all the grounds that he had stated, and others he might name, he ventured to express a hope, without defending every detail of this scheme, that the House would not pass the Motion of the right hon. Gentleman.

MR. W. E. FORSTER said, were it not that he was responsible with Lord Ripon for the first scheme to which reference had been made, he should not have risen to address the House; but it might be well that he should briefly explain the ground on which they gave a majority of the governors to the representative bodies of Birmingham, and therefore show, he thought, why it should be desirable for the present Government to continue in the same course. In both schemes there were to be 21 governors, and they proposed, under the original scheme, to give eight to the town council, four to the school board, one to the teachers, and eight co-optative. The present scheme proposed to give eight to the town council, nine co-optative, one to the teachers, and three to the Universities; therefore, in this latter case, the majority were not elected by the bodies in Birmingham, whereas before they were so. The real question for the House to consider was whether it was better in the case of this great school and this great town that the majority of the governors should be appointed by the representative bodies or not? At the time of the original scheme the town council of Birmingham wished to have the governing body entirely representative. On the other hand, the governors wished a very much smaller share of the representation to be given to the town council than was finally given. A powerful body in Birmingham, called the Grammar School Reform Association, composed of various religious denominations, wished the governing body to be divided so as not to have more than six co-optative members on the board. He was not going to say whether too large a share had been given to the co-optative section or not; but the scheme was accepted, though reluctantly, by the town council and by that Party in Birmingham which was represented by the three Members in that House, by the town council, and by the school board. The scheme was opposed in the House of Lords, not on the ground of the constitution of the board, but on the ground that some arrangement was required for religious education—a point which had been referred to by the hon. Member for Plymouth (Mr. Sampson Lloyd). In this scheme, however, the provision with regard to religious instruction was perfectly clear; and, therefore, it was impossible that the governing body could imitate the conduct of the school board of Birmingham on that subject. The real point was whether one of the most magnificent institutions and one of the most progressive and powerful cities in the Empire should be out of harmony. His own views were not altogether in accord with the views entertained at Birmingham on the subject of education; but then Birmingham might not always remain of the same opinion as at present. No town was more in earnest on matters of education, nor was there any town in which the leading men had given more time to serve the cause of education. Was it then advisable in framing a new scheme to run counter to the feelings of the town in regard to that school? Because there could be no mistake about the feelings of the town with regard to King Edward's School. He would not go into the question of the University nominees. It struck him that Birmingham was not the place to try that. They should trust to the educational zeal of the town. In supporting this Motion, he must not be supposed as admitting that it would be desirable to make education free. Having been a Member of the Schools Inquiry Commission, he felt with regard to the secondary and higher schools, that it would be no advantage to culture to make entrance to them free. He hoped, in conclusion, that the Motion of his right hon. Friend would be approved by the majority of the House.

THE CHANCELLOR OF THE EXCHEQUER said, he regretted that the absence, from indisposition, of his noble Friend the Vice President of the Council (Viscount Sandon), imposed upon him the necessity of answering the remarks of the right hon. Member for Birmingham (Mr. John Bright) and his supporters. He regretted the absence of the noble Lord, not only because of the reason of it, but because his noble Friend was more familiar with all the details of this question than he could pretend to be. However, he had a general acquaintance with the question; and from some consideration of it in former times, and from what had passed in the present debate, he might venture to express his opinion, and to give the reasons why he could not accept the views which were put forward by the right hon. Gentleman and the junior Member for Birmingham. The right hon. Gentleman who had just spoken (Mr. W. E. Forster) had put the matter in this way. He said—"I desire to see, and I think it is a fair thing you should see, a majority of the governing body composed of the representatives of the people of Birmingham." But did the right hon. Gentleman bear in mind what the nature of the representative body would be under any circumstances, and especially if he and the Members for Birmingham succeeded in getting it altered in the way they wished? The right hon. Gentleman said that there should be elected members and co-optative members, and that of these the former should be in a majority. Did the right hon. Gentleman, however, recollect that co-optative members were to be kept up in the event of vacancy by election by the whole body; and that if that process were to go on the co-optative members in time would be absorbed altogether? They all admitted that in regard to the purposes for which town councils and corporations were elected, it was right that the majority should rule; but was it necessarily desirable, in a question of education and the direction of a great institution, to put the whole management into the hands of a body elected for the management of the physical condition of the town, and the management of the gas and waterworks, and so forth, and many other important functions which undoubtedly those corporations fulfilled? But hon. Members would remember this, that in what they were proposing to do, and the principles they were laying down, they could not confine their case to Birmingham; but they were introducing principles the application of which might be claimed by a great many other towns besides Birmingham. It would be invidious to say that this principle was to be applied to Birmingham and not to other towns, because they were less impartial and somewhat less advanced and intelligent. The question might be raised in a painful way by instituting comparisons of that kind. What would Manchester say? He did not profess to know the governing body of Manchester; but he did know that there were upon the governing body of Manchester School the University men who were now objected to by Birmingham. Were they to say to Manchester, if they asked for similar powers—"It's all very well; you are not of the same intelligence or the same advanced culture as the corporation of Birmingham; and though it would not be right to offer such an insult to Birmingham as to have University men represented in their governing body, yet for an inferior set of people like you in Manchester it is quite good enough?" Such a principle would hardly be contended for by anybody; but if they were to admit that principle, then all the different corporations would have the same claims allowed as were put forth by Birmingham. In a governing body so constituted they might have great variety of views, and some of the views that might be brought forward might be of a very questionable character. He observed that on the present occasion the Motion which was made was for the rejection of the scheme upon two distinct grounds; one was that the governing body was not rightly constituted, and the other was that there was no provision made for gratuitous education. But some of those who supported the view that they ought to give the majority to the corporation of Birmingham held that it was not desirable to give gratuitous education; and yet they would, by supporting this Motion, put the power into the hands of men who probably would go on the length, or at all events might do so, and in that way they might be sacrificing a principle which was influential in educational questions for the sake of giving power to a corporation who took a particular view—and they must bear in mind always, when he spoke of the corporation and the representatives of a class, he was speaking of the representation of the majority and not of the minority. As regarded the bodies that should elect the governing body, the Endowed Schools Commissioners had made every reasonable suggestion in proposing bodies that could not give any offence. What was this governing body for? It was to have the conduct of a great educational institution; and surely, in conducting their affairs, it was no reflection that a small proportion of the educational body should be composed of gentlemen who had a particular knowledge of the practices and principles of education. In the Report of the Schools Inquiry Commission, the Commissioners said—

> "It seems to us that in a good school trust, the representation of the interests of parents, the interests of education, and the past management of the school should, if possible, be combined;"

and the Gentlemen from whose Report he quoted further said that, in their opinion, while the other two objects were attended to, some trustees should be appointed, on the ground of special knowledge, to represent the interests of education. They must bear in mind that what they did to meet the case of a particular town might have to be extended to other towns; and he feared that if they admitted the principle of the objection taken by this Motion, they would admit principles which would unravel the workings of the Schools Inquiry Commission, and remit to a number of bodies with by no means the high level of culture of the town of Birmingham the consideration of those questions, without that due reference to the interests of education which the Schools Inquiry Commission tried to introduce. He must apologize for not being able to enter more fully into the matter; but he thought that it was not necessary to do so, because the principle was easily understood and apprehended, and in itself it was a sufficient answer to the arguments of those who wished to upset the scheme. It was not necessary to go into the scheme; but he thought they might challenge the opinion of the House whether they would or would not affirm the principles laid down for their guidance by the Schools Inquiry Commission.

MR. LYON PLAYFAIR said, he must oppose the Motion. The scheme, he said, connected the school of Birmingham largely with the Universities. In the 78th clause it devoted £400 per annum for scholarship in connection with Oxford and Cambridge. Surely, therefore, when they had a system beginning with the elementary schools of Birmingham, and going through the secondary scoools, and connecting them with the great Universities, it was desirable that those great Universities should be represented on the managing board. By Clause 79, £200 a-year was devoted to other Universities. But he failed to see why the

London University should have a nominated governor on the board, for it was not a teaching University, but only an examining board. The money must go to the other Universities, and not to the London University. When it was seen that this money was given in connection with the great Universities of the Kingdom, he could not, as a University man, support the Motion of the right hon. Gentleman.

Mr. MUNTZ said, he particularly objected to that part of the scheme which related to the Universities. The present governors were just as much opposed to the three members being appointed by the Universities as the town council were. If the scheme were confirmed, the 2,000 children in the elementary schools who were now being educated gratuitously would have to leave unless they paid certain fees. The school was doing an enormous good, and they were going to put a stop to it. ["No, no!"] It was useless to attempt to argue with the right hon. Gentleman the Chancellor of the Exchequer with a majority at his back. He believed that Birmingham would have cause to regret the day when University men meddled with the educational affairs of the town, without really understanding its wants and requirements.

Sir THOMAS ACLAND said, that, while heartily sympathizing with the reform of our grammar schools, he could not support the Motion of the right hon. Member for Birmingham. He asked all those who valued culture in their municipal institutions in England to pause before they adopted a principle which would compel them to give way to every petty local influence in the boroughs. He could not agree that the London University should not have a voice in the management of the school, and that Scotch Universities should have a part in the management of English educational establishments. He recommended the diminution of the number of the co-optative members, and was in favour of allowing University members to be chosen from any part of England instead of within seven miles of Birmingham.

Question put.

The House *divided*:—Ayes 70; Noes 129: Majority 59.—(Div. List, No. 41.)

Mr. Lyon Playfair

ORDERS OF THE DAY.

COUNTY COURTS JURISDICTION BILL.

(*Mr. Norwood, Mr. Sampson Lloyd, Mr. Watkin Williams, Mr. Waddy.*)

[BILL 100.] SECOND READING.

Order for Second Reading read.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Eight o'clock.

HOUSE OF COMMONS,

Wednesday, 6th March, 1878.

MINUTES.]—Supply—*considered in Committee—Resolutions* [March 4] *reported.*

Public Bills — *Ordered* — *First Reading*— County Courts Procedure * [125].

Second Reading—Municipal Franchise (Ireland) [20], *put off;* Town Councils, Local Boards, and other Local Governing Bodies [22], *adjourned.*

ORDERS OF THE DAY.

MUNICIPAL FRANCHISE (IRELAND) BILL—[Bill 20.]

(*Major O'Gorman, Sir Joseph M'Kenna, Mr. Richard Power.*)

SECOND READING.

Order for Second Reading read.

Major O'GORMAN: Sir, I rise for the purpose of asking this honourable House to affirm the principle of this Bill by permitting it to be read a second time. The Bill is identical with the one which I had the honour to introduce in the Session of 1876. Its aim is to assimilate the municipal franchise of Ireland to that of England; its end is to copy, for the benefit of Ireland, the institutions of England. I think such a course should call for the commendation and not for the resistance of this House. Irishmen are constantly twitted with their supposed disinclination to act in concert with English institutions. Surely, then, when evidence such as this is brought forward to disprove such a statement, every assistance should be afforded to us who are engaged in a course so praiseworthy as the present. In 1876 I was defeated in my attempt, an attempt which, although I say it, I consider was a laudable one. I hope I shall not be unsuccessful this day; but, should I be so, let not the obloquy descend upon me nor upon the hon. Gentlemen who may support me, but upon those who, most active in their condemnation of the general policy of Irish Members, turn a deaf ear to our voluntary desires to improve. Allow me to ask this honourable House what is the law which in England regulates the municipal franchise? That is a very important question. In England every person, male or female, who has occupied a house for 12 months, and been rated to the poor, enjoys the privilege of this franchise. Let me now turn to Ireland, and ask what is the law there? It is that every man only who has occupied a house and been rated to the poor at the value of £10, has the municipal franchise. That law applies to every borough except Dublin. I believe I might here stop short and consider my case proved. For surely the discrepancies and contrasts which exist in each country must flash upon the mind of every hon. Gentleman; but when I come to recount the facts and enter into the details respecting these contrasts, I am sure that hon. Members will be astounded. I will take a few towns in England, and a few towns in Ireland, and I will, as nearly as possible, assimilate them by population only. The town of Leeds has a population of 250,212; Dublin has a population of 267,712. The number of municipal electors in Leeds is 52,784; the number of like electors in Dublin is 5,584. The town of Bradford has a population of 145,830; the town of Belfast a population of 175,418. The number of municipal electors in Bradford is 29,452; the number of like electors in Belfast is 5,525. The town of Gateshead has a population of 49,267; the city of Limerick a population of 49,853. The number of municipal electors in Gateshead is 10,251; the number of like electors in Limerick is 1,139. The town of Swansea has a population of 80,772; Cork has a population of 100,518. The number of municipal electors in Swansea is 8,692; the number of like electors in Cork is 2,000. In other words—and here I crave the attention of the House—Leeds, with a population of 8,505 less than Dublin, has 47,200 more municipal voters; Bradford, with a population of 28,588 less than Belfast, has 23,928 more municipal voters; Gateshead, with a population of 1,586 less than Limerick, has 9,112 more municipal voters; and Swansea, with a population of 19,746 less than Cork, has 6,692 more municipal voters. Surely, Sir, these shocking contrasts could not possibly exist if anything approaching to just legislation existed also. It would almost seem that increase of population became a bar to municipal distinction. In addition to these contrasts may also be mentioned the total disfranchisement of Irishwomen. I rejoice to observe that in England women have been enabled to establish their vote in municipal affairs; and I feel certain I should incorrectly interpret the sentiments of Englishwomen if I said that they were disposed to place a barrier against the enfranchisement of their Irish sisters. Is there a just reason to discountenance the granting of the municipal franchise to Irishwomen when it is granted to Englishwomen? Are Irishwomen less fitted than Englishwomen for the responsibilities attaching to privileges? Are they less prudent, less devoted to the interests of their sons, daughters, or relations of any sort than women in England are? They are not. Are they less devoted to the political interests of their country? I think not. I do not envy the right hon. and learned Gentleman (the Attorney General for Ireland) his task of proving that Irishwomen are not worthy of using the privileges that Englishwomen enjoy. No doubt, the right hon. Gentleman has heard of curtain lectures. I can assure the right hon. Gentleman that I wish him no worse fortune than to hear two or three of them; and I think he will have to encounter them if he opposes this Bill today. I shall not have to encounter them. My withers are unwrung. The right hon. and learned Gentleman cannot believe that his Irish sisters are incapable of exercising this franchise. I shall not believe, Sir, in their incapability until the evidence of my senses has proved to me an impossibility—a downright impossibility — which is, that Irishwomen are inferior in virtue or in beauty to the women of the entire planet combined. Perhaps the right hon. Gentleman the Chief Secretary has not had sufficient experience in Ireland yet to pronounce an opinion on the matter, and if he votes against the Bill to-day, I hope that he will be with me next year. I may hope of the right hon. Gentleman that he will become *Ipsis Hibernis hiberniores*, or I should rather say, *Hibernis ipsis hibernior*. But there are several reasons why he should vote for this Bill. Indeed, I do not see how it can be rejected. One would think that we were not living under a Constitutional Government; one would imagine that we are living under the knout of the perfidious barbarian of the North—the latest filibuster who has, I am sorry to say, just completed his first day's march.—["Order, order!"]

Mr. SPEAKER: I am not aware whether the hon. and gallant Member, in the reference he has just made, is speaking of one of the Sovereigns of Europe with whom Her Majesty is in amity. If so, I must call upon him to withdraw the expression he has used.

Major O'GORMAN: Sir, I at once bow to your decision, and withdraw the expression; but I say if we are living under a Constitutional Government, Irishwomen should be equally entitled to all the privileges which Englishwomen enjoy. In 1876 the hon. Member for Derry (Mr. Charles Lewis) replied to my observations. The greater part of his speech was occupied with a dissertation on the comparative value of houses in England and Ireland. Such a course, I think, was scarcely fair. The overseer who, in England, sanctions the possession of the municipal franchise, is not charged to make the least inquiry as to the value of the house occupied by the seeker of the franchise. I grant that some of the houses in the English towns may be superior to those in the Irish towns, but how can their actual value be discovered when the question is not by law allowed to arise? The question is not allowed to be put. Let us take the case of two men living in Waterford. They are both anxious for the municipal franchise, but they do not live in £10 rated houses; they are well-conducted and industrious. One of them quits Ireland and proceeds to Bristol to live. He occupies a house, and in 12 months he is in possession of the municipal franchise. His friend in Waterford, who must pay £15 or £18 rent if he wishes to live in a £10 rated house, can scarcely ever expect to enjoy the franchise. Now, Sir, is it right that an Irishman should be under the necessity of expatriating himself for the purpose of obtaining in a strange country that which is denied him in his own? I think that he ought not. I have no desire to detain the House. I think the case is so perfectly plain that but few words are required; but I will refer to a few observations which were made on the first day of the Session by the right hon. Gentleman the Chancellor of the Exchequer. I deeply regret that the right hon. Gentleman is not present at this moment in the House, but the words he made use of were these. Talking of Ireland, he said—

> "There ought to be no mistake about this matter. There is no disposition on the part of any Member representing an English or a Scottish constituency in this House—there is no disposition in any part of the United Kingdom—to deny Ireland full and fair consideration for every grievance which she may wish to bring forward."

And again he said—

> "I can promise on behalf of the House that any measure brought forward will not fail to receive careful, attentive, and respectful consideration."—[See *ante*, pp. 151-2.]

Those were very kind words, indeed. I was present, and heard every one of them, and I can truly say that I more admired the manner in which they were expressed than the matter which they conveyed. I would certainly claim, if he were here, the presence of the right hon. Gentleman in my Lobby this day. I have one word more to add. In 1876 I concluded my observations by saying that I left this important matter to the justice, and to the honour of the House of Commons. I was defeated on that occasion; but I do believe in the justice and in the honour of the House of Commons, and I propose to end the few observations with which I have troubled the House with the words I then spoke. I repeat, and I think I am correct, that I hope I shall be successful when I say that I leave the question now to the justice and to the honour of the House of Commons. The hon. and gallant Gentleman concluded by moving the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Major O'Gorman.*)

Mr. KAVANAGH, in rising to move that the Bill be read a second time that day six months, said, he was sorry to be obliged to enter the lists again against the hon. and gallant Member for Waterford (Major O'Gorman), and he was also sorry that the hon. and gallant Member had felt it necessary to move the second reading of the Bill. The House, when they considered all the circumstances which that step involved, would see the course the hon. and gallant Member had pursued was not a very convenient one. The fact was, that there was at the present time a Select Committee sitting to consider and report upon the whole question. It was, therefore, scarcely opportune, to say the least of it, to ask the House to endorse the principle of the Bill by reading it a second time before the Committee had reported. As he was a Member of the Committee, he would not say that the proposal of the hon. and gallant Member had the appearance of casting a slight upon that body; but, at any rate, the step was not opportune, and was not fair—and what was more, he hardly thought it was quite respectful to ask the House now to give a decision upon the question, and thereby to stultify its action in having appointed a Committee to consider it. The question was one of no ordinary interest, the Bill, or one very similar to it, having for its object the extension of the municipal franchise in Ireland, was brought in by the hon. and gallant Member for Waterford in 1876. That Bill was rejected by the House; but, although it was rejected, the Government at the time undertook to consider the question, and not only to consider it, but also a far larger and more important question which was inseparably connected with that—namely, the whole question of local government in Ireland. In order to carry out that undertaking, a Select Committee, fairly constituted, and representing all shades of opinion, was appointed, and it sat continuously for two Sessions. It was only the other day that that Select Committee was again appointed for the third time. That was not all. During the Recess a Royal Commission was appointed to visit the different towns in Ireland, which the Committee could not reach, to inquire into their several constitutions and modes of government, and to report to the House the result of their inquiries. The result of those inquiries had been two-fold. It had taken a mass of evidence, and prepared a pile of Blue Books enough to make a man turn pale at the thought that he was required to read them through, and it had also produced a large amount of valuable information, and had brought to light some facts which were very strange, indeed, he might almost say, incredible.

Mr. M. BROOKS: I rise to Order. I wish to ask if the hon. Gentleman is in Order in anticipating the Report of a Committee which is not yet before the House?

Mr. SPEAKER: Any reference to the proceedings of the Committee would be irregular; but I do not understand the hon. Member to refer to proceedings of the Committee.

Mr. KAVANAGH said, it was not his intention to refer to the proceedings of the Committee in any way. If he were to do so, he should lay himself open to exactly the same charge as that which he made against the hon. Member—of forestalling the Report of the Committee. He had purposely avoided anything of that sort, and had merely intended to show how inconvenient it was to move the second reading on that occasion. He would shortly state the nature of the Bill from his point of view. The immediate effect of the Bill would be to extend the municipal franchise in Ireland to such an extent as practically to swamp and disfranchise those who now held it. He could hardly understand how the Bill could be approved of by the different constituents of hon. Members opposite who advocated it, and he could hardly imagine that they appreciated at the time what would be the real effect and result of the Bill, or he thought they would be unwilling to throw away the power they now possessed in the management of municipal affairs and hand it over to a lower class. However that might be, he gathered that hon. Members asserted, as an established fact, that their constituents did really wish for the change. If, then, they were really anxious for the change, it could not be regarded in any other light than as evidence that their constituents were not satisfied with the present management under the existing franchise. With that he (Mr. Kavanagh) was quite willing to go with them to the full. The way in which municipal affairs were generally managed was certainly not at all satisfactory, and there was an immense amount of waste—not but what some local management was conducted very well. Some remedy then was necessary, and the Bill was the suggestion for the cure. But when he came to consider the manner of curing the evils, he entirely differed from hon. Members opposite, and he could not in any way agree with them. Although the expression of his opinion might not be acceptable to hon. Members opposite, he was convinced—and he regretted the necessity of saying it—that among all those large towns where mismanagement, jobbery, and extravagance were most flagrant, the city of Dublin must be pointed out as a strong example; and for the existence of those disorders there he found a reason in the fact that in that corporation there was an utter want of any representation of property or intelligence. Not for a moment did he wish to say that the members of that corporation were wanting in intelligence or wealth; but they were really not the representatives of property, but of democracy. As the franchise now stood, the whole power in the management of local affairs was in the hands of the lower classes; and that being so, he must ask the House to pause and consider what would be the result of passing the Bill in Dublin. They had in Dublin a political debating society for a corporation, where every scheme and project not in any way connected with their province was debated with energy—and, from the point of view of those forming the corporation, with considerable ability. There was an enormous and increasing debt; and from his own experience of Dublin, the streets there, according to the season of the year, resembled either quagmires or ploughed fields, and other matters coming under the rule of the corporation were conducted in a like manner. Yet side by side with that corporation were local boards upon whom all classes were fairly represented, and who carried out their work in a manner which any public body in the Kingdom might be proud to equal. Those bodies offered a striking contrast to the corporation, where the mischief arose from the fact of the whole power being in the hands of the lower classes through the overwhelming representation of the popular element. This Bill would really secure a continuance of the mischief, the evils of which they were asked to cure, by reading it a second time. It would make the franchise more open, and make it impossible for owners of property to exercise influence over affairs in which they had the greatest, the most vital interest. In other words, the House was asked to endorse, as a right principle, what appeared to him an extravagant, preposterous theory—namely, that those who had the smallest interest in the affairs should have the whole control of management, and that the checks to extravagance and mismanagement should be placed in the hands of those who would suffer least from these evils. He thought he might with fairness call on all hon. Members who really desired to promote the proper management of municipal affairs in Ireland to vote against the second reading of this Bill. While he opposed the Bill on these grounds, he was not himself opposed to an extension of the municipal franchise, or of any other franchise, provided always that the extension was not such as to throw the whole power into the hands of one class to the exclusion of all others. His belief was that the true principle of a safe and sound democracy, which was the safest, broadest basis upon which a Constitution could rest, was the equal representation of all classes. That was no new opinion with him, and he had long held it; and in 1876 he, in conjunction with his hon. Colleague, brought in a Bill proposing a broader extension of the franchise than the present Bill; but containing, at the same time, certain provisions for a protection for the representation of property. If that proposal had been accepted, property would still have been in a minority; but it certainly would not be in the hopeless minority at which it now is, and certainly not in the abject condition in which it would be placed in every part of the Kingdom if this Bill became law. And how was that proposal received? With howls of execration from hon. Members opposite in the House, and with tirades of abuse from what he supposed he must call the popular journals in Ireland. He remembered being rather amused at one of the terms applied to his hon. Colleague and himself in *The Freeman's Journal.* It was meant to be opprobrious, but he confessed he could not see it in that light. The term used was "money-bags;" and if the hon. Member for Tipperary (Mr. Gray) chose to designate him by that term, he did not object. There was nothing particularly objectionable in that term; but there were many other words coined for his special benefit, which were very abusive. What did that tirade of abuse prove? To his mind it proved that it was no real extension of the franchise which hon. Gentlemen opposite desired. What they really wished to do was to enfranchise the lower class and to disfranchise all other classes. If that were their idea of fair play, or of Liberal principles, or of the true principles of democracy, he confessed it was not his. Neither was it the opinion expressed by several hon. Members on the other side during the debate upon the borough franchise. He would now say a word or two on the well-worn argument respecting the assimilation which it was asserted this Bill would produce between the Irish and English franchises. Figures had been cited to prove that, so far from the lowering of the franchise in Ireland assimilating it to the circumstances of England; such a step would, in fact, create a more glaring difference than existed at present. If this Bill were passed, it would transfer the power at municipal elections in Ireland from those who paid four-fifths of the rates to those who paid one-fifth. Such a Bill he felt it his duty to oppose. No such transfer had been made by the Act passed for England; and, in fact, under the present condition of things, the municipal franchise in Ireland belonged to a lower class than those who possessed the same franchise in this country. He would conclude by moving the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Kavanagh.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. MELDON said, his hon. and gallant Friend (Major O'Gorman) had so thoroughly dealt with the question that there was scarcely anything further to be said by those who supported the Bill, as he (Mr. Meldon) did. There was, however, one point to which he wished to allude. His hon. and gallant Friend had stated that what he asked was an assimilation of the municipal franchise of England and Ireland. That, no doubt, was true; but, at the same time, he (Mr. Meldon) thought they might go a step further, and say they wished to assimilate the municipal franchise in different parts of Ireland; for in Dublin the municipal franchise did not depend on the principle of value, but on residence and payment of rates. Every male occupier who had resided for a certain time and had paid certain rates was entitled to the franchise, whereas in the other towns of Ireland no person could vote in municipal elections unless he had resided for a specified period in a house valued at £10, which really represented a value of over £13, the valuation in Ireland being one-third under the rental or letting value. In Dublin, however, owing to the existence of certain rating laws, more than 5,000 really entitled were deprived of the municipal franchise. In the first place, whenever the holdings were valued at £4 and under, and in all cases where occupiers paid their rent weekly or monthly, the landlords or lessors were rated, and not the occupiers. In the next place, the period of residence necessary to qualify practically amounted to two years and eight months. Owing to those provisions, the state of the law respecting the municipal franchise in Dublin was highly unsatisfactory; but, at the same time, the principle which existed there of not making the franchise dependent on the value of a man's house was the one which, by the present Bill, its supporters wished to extend to the other towns of Ireland. Why should a citizen of Dublin be considered worthy of the franchise, irrespective of the value of the house in which he lived; whereas a citizen of Belfast must occupy a house of the value of £10 to entitle him to the enjoyment of a similar right. It was a startling fact that the municipal franchise in Ireland was twice-and-a-half as high as the Parliamentary franchise, the former being £10, the latter over £4.

It was urged that a Select Committee was sitting, and that it would therefore be unadvisable to pass the Bill; but he could not find a single word in the Order of Reference to the Committee—which he had read—now sitting on the Local Government and Taxation of Towns in Ireland, by which the House had empowered it to inquire into the subject of the municipal franchise in Ireland. He was aware that some evidence had been taken upon the point; but he apprehended that when the Committee came to consider their Report, objection would be made to their right to report on the question under the terms of the Reference. It was not easy to believe that if the House intended the Committee to inquire and report upon such an important question as the assimilation of the municipal franchise in England and Ireland, the Order of Reference should be silent on the subject. However, to meet any difficulty and to avoid the slightest disrespect to the Committee referred to, he (Mr. Meldon) proposed that this Bill, when read a second time, should be sent before the Committee.

MR. GRAY said, he would not have spoken but for the personal challenge thrown out to him by name by the hon. Member for Carlow (Mr. Kavanagh), and the attack made by him upon a newspaper, *The Freeman's Journal*, with which he (Mr. Gray) was known to be connected. Whether the new practice of attacking Members in their private capacities, which he believed had been originated by the hon. and learned Member for the University of Dublin (Mr. Plunket), and which had since been followed by other Irish Members sitting on the same side of the House, was a convenient, or even a seemly one, he must leave to the House to decide. As long as it was persevered in, however, he (Mr. Gray) had no option but to reply to these personal attacks, and he was quite prepared to do so. With regard to the hon Member for Carlow, he had evidently misunderstood the expressions made use of in *The Freeman's Journal*. The hon. Member was never described as a money-bag, nor were the other hon. Members who had supported the Bill referred to described as money-bags. What was stated was that he (Mr. Kavanagh) and other hon. Members sought to introduce a "money-bag vote." That was simply a statement of fact, and he (Mr. Gray) would there endorse it, as on the very face of it there was truth. The Bill of the hon. Member did not propose that a man should have the franchise, because of any personal fitness he possessed, but because he had so much money in his money-bags, or wherever he kept it; and, therefore, in attributing such a motive to certain hon. Members, he (Mr. Gray) contended that nothing abusive was meant. Had the hon. Member been described in the way he would put it to the House, he (Mr. Gray) should have been prepared to withdraw the expression; but it was not so. The "money-bag vote" accurately described the proposal of the hon. Member to give the rich man six votes and the poor man one. He should not have spoken at all upon the subject before the House, but for the personal allusion made to himself; but now he wished to say a few words upon the Bill. The hon. Member for Carlow had said that the extension of the franchise proposed would swamp the present constituencies. But that was the argument which had been used against every extension of the Parliamentary and the municipal franchise. The Reform Bill of 1868 swamped the constituencies in England, for it trebled them; and every real reform had mainly the effect of introducing a constituency larger in numbers than the old constituency. The hon. Member, however, he (Mr. Gray) contended, was proceeding on a baseless assumption if he thought that all those to whom the franchise would be extended would vote *en bloc*, and that there would be no differences of opinion amongst them. That was a profound fallacy, and every hon. Member of the House knew it to be so. The hon. Member had also used another argument which had more plausibility about it. There was a demand for a change, he said. That was a proof that there was mismanagement, and that the constituencies were discontented with the present system of municipal government. But the Bill now before the House, he said, by extending the franchise downward, but still to the same class who now possessed it, would increase the mismanagement. Now, the demand for a change was made, not on the ground of mismanagement, but on the broad ground of equality. The Irish people and their Representatives in that House demanded that a stigma of inferiority should be removed, and that they should be recognized as entitled to the same municipal franchise and the same municipal rights as were given in England. That was the ground on which the demand was made. Then the hon. Gentleman had also indulged in some strong observations in reference to the conduct of business in the Dublin Corporation. He had stated that the corporation was a mere political debating society, corrupt and extravagant. But what was the case? The Dublin Corporation, no doubt, had taken notice of matters which affected the well-being of the whole country of Ireland, and therefore affected the well-being of its capital, and in doing so, he (Mr. Gray) considered they had simply done their duty. The duties of a representative body of a capital like Dublin was not confined merely to its administrative functions, and the expending of the public rates. It was also the representative of public opinion; and though that seemed to be denied them, he asked what was the course with regard to municipalities in England? They sent addresses to the Government endorsing a war policy. Did the Prime Minister bid them go and attend to their sewers and the sweeping of the streets, and ask them what they had to do with war matters? He did not think so, and therefore the arguments of the hon. Member for Carlow was sought to be applied to Ireland alone. Had the great Corporation of London never exercised political functions, and had the exercise of those functions ever been questioned? The other municipalities of this country also exercised those functions, and expressed the opinions of their constituencies without fear or favour, and he claimed for the municipality of Dublin and the municipalities of Ireland the same right as they claimed for the municipalities of England. Those municipalities were the bulwarks of the Constitution. They existed, some of them, before that House, and represented the opinions of their constituencies boldly before that House had the power; and he affirmed that it would be a misfortune to the country if those Constitutional functions were to be limited, or the municipalities denied the right to express their political opinions. Then the hon. member had said that the Dublin Corporation was a nest of jobbery, extravagance, and corruption. The Corporation would be content to leave that until the Report of the Select Committee came before them, which would prove whether those assertions were correct or not. He would not for a moment suggest that the administration of the Dublin Corporation was everything that could be desired. On the contrary, he, as a member of it, had taken strong exception to several of its acts. He did not attempt to say that it was an ideal corporation. But what he did say was, that it would bear a fair comparison with the English corporations, if subject to as rigid an investigation. Its weakness was caused by the stagnation, the result of the system which this Bill sought to abolish. The constituency was too limited. Within the limits of the borough of Dublin there were some 230,000 or 240,000 inhabitants; while only a little over 5,000 men had the municipal franchise, the average in the wards being about 300 to 500; so that it was plainly to be seen that the great mass of the ratepayers were shut out from local government. The election of the town council was left to a very small body—a stagnant body — who, in their turn, elected a stagnant corporation. When a man secured his name upon the roll, it was difficult to get him off again; while it was exceedingly difficult to get upon it. The result of the restriction of the franchise, therefore, was that there was an absence of that healthy public spirit which was the essence of municipal purity and efficiency, as it was of Parliamentary purity and efficiency. If they granted a wide franchise, such as the present Bill would give to men who paid the rates, and gave them a voice in the choice of representatives, there would be more competition, and the evils complained of would be reformed. Side by side, the hon. Gentleman said, with this corrupt and extravagant political debating society, on which property was not represented, were other public boards which were the models of what such institutions should be; and his argument was, that they were well managed because property was represented upon them, while the corporation was mismanaged, because property was not represented upon it. He (Mr. Gray) accepted the challenge and denied the conclusions.

There were bodies elected by the franchise which the hon. Member for Carlow advocated. There were Poor Law Boards elected by the multiple—the money-bag-vote, which the hon. Member proposed to extend to the municipalities; and everyone who knew anything about the South Dublin Board knew its constitution, and that property was directly represented upon it. He (Mr. Gray) asserted that that body was very much worse than the Dublin Corporation, and would not stand in comparison with it. If they wanted to find jobbery and exclusiveness in the worst form they would find it in the South Dublin Union, where there was not only the property vote but *ex-officio* magisterial members. In the Corporation of Dublin, they would find the utmost liberality exercised in the appointment to offices, both honorary and of emolument. They would find that the Catholic Liberal Corporation elected a Protestant Conservative Lord Mayor every second year, and that many of the high officers in the corporation were Protestants and strong Conservatives; and that was how the corrupt political debating society exercised its powers. What did they do in the South Dublin Union, with its majority of Conservatives, elected by the property vote? It invariably elected a Protestant chairman, and every office within its gift over £100 per annum was filled by Protestants who were Conservatives, and Catholics who had done their duty in inferior offices were never promoted to the higher positions. Now, he had shown what a money-bag vote would do for Ireland. The constituencies had shown by their acts in the past that they deserved an extension of the franchise. If it could be shown to the House that the public bodies in Ireland, which already existed, elected by the money-bag property vote, did their business half as well as those elected on the popular franchise, there would then be some fair argument in favour of the proposal of the hon. Member for Carlow; but, if not, he asked the House to pass the Bill now before them, and so extend the franchise as to improve the corporations by introducing a freer and broader representation of the public opinion of the ratepayers upon them.

Mr. KAVANAGH said, he never applied to the Corporation of Dublin the term which the hon. Member for Tipperary (Mr. Gray) attributed to him. He never made use of the word "corrupt."

Mr. GRAY said, the hon. Member used the word "jobbery," and if jobbery meant anything it meant corruption.

Sir JOHN LESLIE said, he would advert to the remarks of the hon. and learned Member for Kildare (Mr. Meldon) with regard to the Select Committee now sitting, which was appointed in 1876, almost immediately after the last discussion upon the Municipal Franchise Bill. The hon. and learned Member said there was every reason to believe that the Committee did not intend to consider the question of the municipal franchise, because it had not done so. When the Committee ceased from its labours it had reported to the House in this spirit—

> "The inquiry could be more justly conducted by means of a local investigation into the circumstances of the several towns in which municipal bodies exist under the statute, the operation of which the Committee was appointed to inquire into."

Therefore, the result of the labours of that Committee was that it reported to the House the necessity of a Local Commission in Ireland, to inquire into the very circumstances which the hon. and learned Member for Kildare disputed. That local inquiry was made, and it was laid before the Committee of 1877; and, therefore, it was only natural for anyone who assailed the position of that Bill to say that it came before the House in a manner most inopportune, and which was calculated to defeat its own purpose, although the Motion had been brought forward by the hon. and gallant Gentleman (Major O'Gorman) in an irreproachable tone, and with due respect to the rights of the ladies on whose behalf the hon. and gallant Gentleman was entitled to speak. He was bound to disagree with the hon. and gallant Member in the shocking contrasts to which he had alluded. The figures quoted in 1876 were at the time called in question, and they were successfully disputed by hon. Members on the Conservative side of the House, who were celebrated for their powers in bringing figures to bay. When the hon. and gallant Member showed that the franchise was so much lower in Dublin than in Leeds, he forgot altogether the fact that the classes introduced to the franchise were totally different, and the main fallacy of the Bill was the attempt to assimilate the municipal franchise of Ireland to that of England. This was impossible, for the reason that had been often deplored—that there was no middle class in Ireland, and that they would be obliged, in any attempts to assimilate the franchise of the two countries, to do without that most important class, which was the dominant power in the operation of the municipal franchise in England. The middle class was absent in Ireland; and it was proposed, in its stead, to hand over to the lower classes that which should be given to the middle classes. In 1876 an hon. Member showed that there were 3,000 tenants under 20*s.* who would be admitted to the franchise by that Bill. He (Sir John Leslie) would like to know where in England they would find an equivalent for such a class of voters possessing the municipal franchise? He believed that the plea of assimilation, in order to produce equality of laws, was fallacious, whether it was applied to a municipal or any other Bill. The Committee on the subject was still sitting, taking valuable evidence, on which legislation must be founded; therefore, to pass the Bill before that evidence had been considered by the House, would be to neutralize the labours of the Committee. He believed he had said enough to show that the Bill was a bad one, and that they must look to the evidence taken by the Committee for the material necessary to make a good one. He was as desirous as the hon. Member for Carlow that the municipal franchise should be improved when it could be done; but was directly opposed to such an extreme measure as that before the House. He hoped that they would yet obtain from the Government what he acknowledged was required—a measure of municipal reform.

MR. PLUNKET said, he thought it would be a great pity if the House were to decide upon that Bill without understanding very clearly the position in which the question at present stood. It was by no means the first time that the question of the municipal franchise in Ireland had been before the House, it having been introduced in several successive Sessions, sometimes in the form of a Bill, sometimes that of a Resolution, and different specifics had been recommended for the reform of a state of matters which he thought almost every person would admit required amendment. But the question which hon. Members had now to consider was not whether some change was required in the municipal corporations of Ireland as regarded the mode of the election of members, but whether the change proposed by the Bill, without any safeguard for the rights of property holders, should pass; or whether some other reform might not be introduced which would be more satisfactory to all parties. It was exceedingly unusual that in the middle of a Session the House should be asked to pass an opinion upon a question forming part of a very complex problem which was at the moment under the consideration of a Committee upstairs. Indeed, his hon. and learned Friend the Member for Kildare (Mr. Meldon) saw that there was some difficulty in pressing on the acceptance of the House a proposition which two years ago had been so referred; but his hon. and learned Friend took the bull by the horns, and boldly said he doubted the competency of the Committee to take this question into consideration. At one time it was proposed to reduce the municipal franchise in the Irish boroughs to the same level as the Parliamentary franchise; but the proposal now before the House was to reduce it far below that level. It was an odd thing that although a Bill on that subject was introduced in 1876, it was not re-introduced last year. The reason was, that it was perfectly well understood that no action could be properly taken on the subject until the Report of the Committee was obtained. The Committee had given a direction to the evidence they had elicited with the object of forming an opinion upon that question. Not only had the Committee not reported upon the subject; but, he believed, they had not concluded the taking of evidence upon that very point. He thought there were 16 sub-divisions headed "Franchise" in the Report of the evidence taken in 1876, and about eight sub-divisions in the Report of the evidence taken in 1877, on the very subject with which that Bill proposed to deal. Out of all the witnesses that had been examined only four were in favour of the proposals of this Bill. The other witnesses who gave evidence in favour of the reduction of the municipal franchise in Ireland were in favour of balancing it with some safeguard, for this very sound reason — that unless something of the kind were done, owing to the unfortunate social conditions of Ireland, a vast preponderance of electoral power would fall into the hands of the poorest classes, who contributed a very small proportion of the rates which were levied. He was not against adding to the municipal franchise; but he was against a crude measure of that kind, divested of any safeguard or balance. He was not going into the question whether political subjects should be considered by corporations. He had no objection to corporations discussing, fairly and with moderation, when they had time and inclination, and did not in any way neglect their more immediate and more important duties, political questions, and forwarding Petitions to Parliament in favour of those political conclusions at which they had arrived; but he objected to the Lord Mayor and Corporation of Dublin engaging in such work when the smell from the neglected River Liffey was almost intolerable. ["No, no!"] The remembrance of the state of that river had been impressed upon his olfactory nerves in a most disagreeable way. The hon. and learned Member for Louth (Mr. Sullivan) had been examined before the Committee; and on the subject of the Corporation of Dublin, he stated his firm conviction that, on the whole, that corporation did its business efficiently; but he said that he would be prepared to make concessions to the class of property holders. They could not afford to introduce such a wholesale municipal franchise without some safeguard. In such a city as Dublin, for instance, if the Bill passed, the number of municipal electors would be raised from 5,500 to something like 16,000. He wanted distinctly to tell English and Scotch Members opposite who might be disposed to vote for the Bill, to recollect that he and those who held views similar to his were not at all opposed to municipal corporations, or to enlargement of their municipal constituencies; but to recollect that this particular question amongst others had been submitted to a Committee which was now taking evidence on the subject. They were not asking them to refuse reform. Nothing of the kind. They were simply asking them to wait until they had the Report of the Committee before them, and were able to decide what should be the nature of the reform they desired. He would like to have the full Report of the influential Committee before he came to a conclusion on the subject. He was most desirous there should be some reform not only in this respect, but in others concerning the municipal corporations of Ireland; but he must repeat it would be very unusual and inconvenient for the House to tie its hands upon a subject on which a Committee was sitting upstairs. He should certainly support the Amendment of the hon. Member for Carlow.

Mr. M. BROOKS asked if the hon. and learned Member for the University of Dublin (Mr. Plunket) wished to contend that a constituency of between 5,000 and 6,000 persons in a population of over 300,000 was too large? Did he state to the House that property at present was not amply represented in the corporation, or did he pretend to state to the House that the ratepayers, numerically, were adequately represented in the corporation? He (Mr. Brooks) would admit it was not a perfect institution; but he ventured to say that if they could carry out one of the objects contemplated by the Bill—namely, to extend the constituency, and thereby bring in a larger and more popular element to the corporation—they would find as a consequence that the condition of the river and the streets would be better attended to. He denied that the corporation was in any respect a nest of jobbery. He had not heard that anyone had had the courage to make such a statement outside of that House. No doubt slanders had been uttered against the corporation—

> "Slander, a poison of the deadliest kind,
> Found easy access to the ignoble mind."

He found on entering that body that many of those slanders were wholly unfounded. They had inherited the debts of the Corporation of Dublin of 200 years ago, and they had inherited, too, some of their faults. They were now anxious, if they could, to remove the last vestige of ascendancy which prevailed in the Dublin Corporation, and that the real wants of the ratepayers should receive greater consideration than was given to them at present. What, he asked, were the objections to the Bill? Was it urged as an objection that owing to the extension of the number of electors, the poorer class would elect poorer members, and by their admission cause the corporation to pursue a parsimonious policy, or, on the other hand, an extravagant one? He denied that that would be the result; and directed the attention of the House to the fact that when it was proposed to borrow from the Government £600,000 for the purpose of cleansing the River Liffey, the poorer class of Dublin resisted the loan; because, although they were of opinion that the cleansing of the river would be advantageous, they could not see their way in their poverty to the re-payment of the money. The present Corporation of Dublin had obtained a loan of money which had enabled them to provide a better supply of water than was enjoyed by any other city in the world. Indeed, they could not be too highly commended in that respect, for he did not think there was a finer supply of water than that obtained by this much maligned corporation. He was himself of opinion that an alteration in the franchise in Dublin would attract a large number of those whose administrative ability would tend to the more economical and frugal use of its funds, and that greater satisfaction would arise in the minds of those who now complained that the condition of the city was not such as they desired. So long, he said, as dissatisfaction and inequality prevailed, so long would there be political debate in the Corporation of Dublin.

Mr. MACARTNEY thought the proper business of the Corporation of Dublin was to attend to the administration of the city. There was no city in the world which was more heavily taxed than Dublin. ["No, no!"] He hoped hon. Gentlemen opposite were satisfied with the taxation; but he confessed that if he were called upon to pay such taxes he should feel rather dissatisfied. The Corporation of Dublin appeared, as at present constituted, to claim the right, as hon. Gentlemen opposite claimed, to represent the people of Ireland, and they now attempted to lower the stratum of those by whom municipal representatives were to be chosen. He (Mr. Macartney), however, thought that until the Committee which was sitting upstairs had reported, no legislation should take place on the subject. Otherwise, the House would not be treating their own Committee with due consideration.

Sir JOSEPH M'KENNA, as a Member of the Committee, said they had yet to report on matters connected with the subject of the Bill; but it needed no Report of a Committee to point out to him that it was essential to the peace and happiness of the people of Ireland that they should have, in respect to the government of their towns, the same place in the Constitution, and the same municipal franchises, as their English fellow-subjects. The ordinary class of arguments had been urged against the Bill. It had been said that it was not advisable to introduce a new and extensive class of electors taken from a lower stratum of the population. That was a figure of speech invented by the right hon. Gentleman the Member for the University of London (Mr. Lowe) when sitting for Calne; but it had now been completely falsified by events. For instance, that very argument was used against Earl Russell's Reform Bill; but the noble Earl who was now at the head of the Government shortly afterwards brought in a Reform Bill which went even further down in the social scale, and enfranchised every householder in the boroughs of England. He (Sir Joseph M'Kenna) asked if they found that the Conservatives had been injured by the Reform Bill, and whether the argument as to the danger of constituting a new stratum had not been falsified? He had sufficient dependence upon the poorer classes of Ireland to believe that they would not, any more than the people of England, rush into the ranks of revolution or be carried away by extravagance. They were all judges of character, and they knew to whom to look for support; they certainly would not, in the management of their affairs, go to needy men for advice, or to represent them. It would be an unfortunate thing that the Bill, which recommended itself so much to the intelligence of the public, was not read a second time that day.

Mr. SULLIVAN said, the old instructions to a barrister—"no case, abuse the plaintiff's attorney," applied in this; for hon. Gentlemen opposite, having no case, had received instructions to abuse the Corporation of Dublin, and the hon. and learned Member for the University of Dublin (Mr. Plunket) had carried out those instructions with his usual ability. He was very sorry, for he thought it a sad and deplorable circumstance, that the House should be encumbered in that discussion with an attack on the character and proceedings of the Corporation of Dublin, when they had to consider a glaring anomaly and an utterly indefensible institution. Not one hon. Member had attempted to justify the existing anomaly and injustice —that one law should prevail on one side of the Channel as regarded municipal qualification, and a heavy exaction be laid on the poorer country. Under it, a man living in Liverpool would have a vote; but the same man, be he Tom Casey or Pat Murphy, or whoever he might be, crossing over to Dublin, would have no vote at all. The offence of the corporation was that it had passed resolutions, and presented Petitions on political subjects, and had not cleaned the Liffey, and it had been said that it ought not to interfere in politics. He wished, however, to remind the House that the Corporation of London only very recently passed a resolution on the Eastern Question; and in his opinion, if the Coporation of Dublin came up to the Bar of that House with a resolution approving of the Government's action on the Bulgarian Question, their proceedings would have been greatly approved by Gentlemen opposite. It was because the politics in which they mingled did not agree with the Government, that all this abuse of the Corporation of Dublin was indulged in. The old Corporation of Dublin, who caroused and toasted William III., made no rates, but they left debts to their successors which were still a millstone about their neck. The hon. Member for Carlow had made a statement on a subject of which he was profoundly ignorant when he referred to the extravagance of the Corporation of Dublin, and spoke of that corporation as a "nest of jobbery and corruption."

Mr. KAVANAGH: I never used the word jobbery in reference to the Corporation of Dublin.

Mr. SULLIVAN was glad to hear that disclaimer, for it was entirely in accordance with the reputation of the hon. Member. He (Mr. Sullivan) had been a member of that corporation, and he must say he knew no public body which on the whole was more free from such an accusation.

Mr. KAVANAGH: I was referring generally to the corporations of Ireland.

Mr. SULLIVAN said, he was not going into the question of all the corporations of Ireland. That was not the question before the House. But, as the Corporation of Dublin had been blamed for not having the streets paved in a proper manner, he begged to say that that was owing to a want of money— and why had it not money? They had at one time magnificent property, which would have made the most beautiful and the most cleanly city in the world; but who held that property? Why, in those true blue days, when oligarchy owned the city, they awarded to some political partizan a lease for 999 years, at a rent of 10 pairs of gloves per annum, one whole side of College Green, which would let for thousands of pounds, and for two pairs of gloves three sides of Stephen's Green, which would fetch he did not know how many thousands of pounds, and some other property was given away under like conditions to the Blue Coat School. The city of Dublin was entitled to 100 pairs of gloves instead of £100,000, or certainly £50,000. That was why Dublin was poor and struggling with difficulties. It was not bankrupt, for its credit was high. The moment the Corporation of Dublin proposed to cleanse the Liffey, there was a yell that the people were to be saddled with half-a-million of debts. The man who cried "no rates" would beat any man in the Kingdom with a certain section of the people of Dublin. But seriously he hoped that they were not going to perpetuate a glaring anomaly and a real injustice by such arguments.

Mr. J. LOWTHER: Sir, the hon. and learned Gentleman who has just sat down (Mr. Sullivan), asked whether a measure which he considers one of simple justice to Ireland will be rejected on the grounds of the position of the Corporation of Dublin? Now, Sir, I can assure him, so far as the Government are concerned, that no matters connected with the Corporation of Dublin have had any weight whatever with us as to the decision we have arrived at. The few observations with which I shall trouble the House will be directed to a ground which, I think, without respect to Party, we can all agree upon—namely, the ground of objection to the further proceeding with the Bill at the present time. It has been observed already that the subject dealt with in the Bill has been referred to a Select Committee of this House. Now, it has always been the practice of the House to extend what I may call not only consideration, but deference to Committees appointed by the House; and what I would ask the House to consider is, whether the course which the promoters of this Bill now ask us to pursue, of reading this Bill a second time, would be treating a Committee of this House with that deference which we ought to extend to it? As some misconception seems to exist upon the subject, I would wish to remind the House that this is a difficult subject, and its exact condition has been, and is now, under the consideration of a Select Committee of this House. I would also wish to remind them of the facts and proceedings of the Committee and of its appointment, premising that the subject is connected with a great number of others relating to the government of towns generally in Ireland. It was appointed in 1868, and the Order of Reference was in these terms—

> "That a Select Committee be appointed to inquire into the operation in Ireland of the following statutes:—9 George IV., cap. 82; 3 and 4 Vic., cap. 108; and 17 and 18 Vic., cap. 103, and the Acts altering and amending the same; and to report whether any and what alterations are advisable in the law relating to local government and taxation of cities and towns in that part of the United Kingdom."

Now, the hon. and learned Gentleman the Member for Kildare (Mr. Meldon) apparently is under the impression that it was not within the competence of that Committee to consider the question as dealt with in this Bill. The 3 & 4 *Vict.*, better known as the Municipal Corporations (Ireland) Act, was certainly an Act which would give full power to inquire into the franchise. What did the Committee do? It proceeded to hold sittings, and on the 11th of July, after 20 of those sittings, it reported as follows:—

> "Your Committee has proceeded in a certain extent in the inquiries which the Order appointing them directed them to pursue. Several witnesses have been examined, and certain progress has been made by your Committee, who report that the material portion of their inquiries would be more advantageously and conveniently taken by a local investigation into the circumstances of the several towns in which municipal bodies exist under any of the statutes mentioned in the Order of Reference, to ascertain the facts connected with property and revenues of such municipal bodies, the rates levied by them for municipal and sanitary purposes, and the mode in which such property, rates, and revenue are applied. Believing that if the results of a local inquiry were laid before them, it would facilitate the investigation, we have come to the conclusion, after having heard evidence, to recommend the re-appointment of the Committee next Session."

The Commission to which the Committee referred was in due course appointed. Pursuant to the above Report, the Lord Lieutenant issued his warrant, dated August 31, 1876, appointing Mr. Uvedale Corbett, late an Inspector under the Local Government Board, England; Mr. Edmund Lawless, and Mr. W. Exham, Q.C., both of the Irish Bar, Commissioners, to make local inquiry into "the several matters and things specified in the above Report." They fully justified the anticipations formed of them, and were duly qualified for their post. They were ordered to report before January 15, 1877. On February 15 these Commissioners issued the first volume of their Report. It extended to 32 towns, in which the Commissioners had held investigations. In fact, they had sat almost without interruption. This Report contained 550 pages and 68 appendices. The Commissioners soon afterwards issued Part 2 of their Report. It related solely to the towns of Belfast, Trim, and Wicklow. Part 3 was dated the 28th of June, 1877. It extended to 19 towns, and was followed by a Supplement relating solely to Kingstown and Dalkey. On the 6th of April, 1877, the Select Committee was re-appointed. Several hon. Gentlemen appear to be under the impression that although the Committee had power to go into a variety of matters connected with the subject, they did not avail themselves of that privilege. But what was the case? In 1876, I find that the Committee which the hon. and learned Member for Kildare considers is incompetent to deal with the subject, turned their attention to the following subjects:—

> "The qualification of the municipal franchise in Dublin as regards rates."

That is certainly a matter germane to the question.

> "The qualifications as regards residence within 20 miles of Dublin and the extent of the burgess roads."

I am simply quoting this to show that the Committee fully discharged its duty in the terms which were urged on it, and it had actually gone into these subjects which it is now proposed to be taken out of their hands by the promoters of the measure now before the House. They also went into the system of objections for property qualification, and took evidence on that point, and on the addition of owners to the franchise. They also took evidence against this, and went into the suggested exclusion of occupiers of houses under £4 rates, the very subject we are now discussing—the proposed enfranchisement of female occupiers. That is a subject which was dealt with in an able and humorous manner by the hon. and gallant Gentleman who introduced the Bill (Major O'Gorman). Then there was a question as to the non-residential occupancy franchise, the question of facilitation of payment of taxes, the suggested enfranchisement of occupiers of offices—in fact, they went into discussions and details of every kind regarding the qualifications for the municipal franchise. I appeal to hon. Gentlemen who, in ignorance of these facts, have committed themselves to the approval of the Bill, really to re-consider their position when these facts are brought forward. Now, having brought the Committee down to their appointment in 1877, what did they do? They had 20 sittings, they heard additional evidence, and on the 20th of July, 1877, they reported—

> "That they had taken further evidence . . . and recommend the re-appointment of the Committee in the next Session for the purpose of considering their report. Your Committee are of opinion that they would be in a better position to arrive at a correct decision as to the best system of local government and taxation for towns in Ireland if they had before them full information regarding the existing state of local government throughout that country—viz., 1, Existing limits of local government, areas, local authorities; 2, matters which are locally administered; 3, local taxation."

And they recommended the appointment of a competent person to do the work. Accordingly, on the 8th of October, 1877, the Lords Justices appointed Mr. William O'Brien, Local Government Board Inspector, to make such a Report. His Report was dated the 10th of January last, and was only delivered within the last few days. In the present year what has happened? The Select Committee was re-appointed about 10 days ago, and stood adjourned until the 24th or 25th of the month. All the labour of the Committee and of the Commissioners will be thrown away if a Bill dealing with a fragment of the whole subject, relating to 11 towns only, is now to be pressed forward. The hon. Member for Youghal has intimated that the Committee would be delighted to continue their labours for an indefinite time. Well, it is not in my power, even if it were in Order, or if I was inclined to pry into the proceedings of Committees during the present Session when they have not yet reported, to say anything on the subject; but if the ordinary rumour, which it is impossible altogether to ignore, is not more than usually inaccurate, the Report is not likely to be indefinitely deferred. In fact, the Committee has, at its own request, been re-appointed for the express purpose, not of hearing evidence, but to draw up its Report. And what I do put to the House is this—whether now, that these facts have been brought before you, it is fair, after the Committee has expended considerable labour—has held during two successive Sessions 30 sittings in each—whether, having re-appointed the special Commission, having conducted the special local inquiry for the express purpose of considering and drawing up their Report, is it right for Parliament to anticipate the presentation of that Report by prejudging an important—certainly one of the most important—questions which have been committed to its care? Of the merits or demerits of the Bill I will say nothing. If I had to deal with the Bill, I might have a good deal to say. I appeal to the House to adhere to the invariable practice of Parliament, and not to prejudge a question which, as I have stated, has been one which has engaged considerably the attention of this Committee.

Question put.

The House *divided* :—Ayes 160; Noes 165: Majority 5.—(Div. List, No. 42.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

TOWN COUNCILS, LOCAL BOARDS, AND OTHER LOCAL GOVERNING BODIES BILL—[BILL 22.]

(*Mr. Mundella, Mr. Chamberlain, Mr. Burt, Mr. Morley.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Mundella.*)

MR. CHARLES LEWIS, who had given Notice to move that the Bill be read a second time that day six months, moved the adjournment of the debate, on the ground that there was not sufficient time at that late hour of the afternoon for the discussion of a Bill of such importance. Only half-an-hour remained available for the purpose.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Charles Lewis.*)

The House *divided* :—Ayes 151; Noes 160: Majority 9.—(Div. List, No. 43.)

Question again proposed, "That the Bill be now read a second time."

MR. PELL moved the adjournment of the House, remarking that some provisions of the Bill would conflict with those of the County Boards Bill. He also took exception to the lateness of the hour for the purposes of discussion.

Motion made, and Question put, "That this House do now adjourn."——(*Mr. Pell.*)

The House *divided* :—Ayes 97; Noes 170: Majority 76.—(Div. List, No. 44.)

And it being after a quarter of an hour before Six of the clock, the further Proceeding on Second Reading stood adjourned till *To-morrow.*

SUPPLY.

Resolutions [4th March] *reported.*

Motion made, and Question proposed, "That the said Resolutions be now read a second time."

Debate *adjourned* till *To-morrow.*

COUNTY COURTS PROCEDURE BILL.

On Motion of Mr. ROWLEY HILL, Bill to amend the Jurisdiction and Procedure of the County Courts, and for the discouragement of frivolous defences therein, *ordered* to be brought in by Mr. ROWLEY HILL, Mr. CLIVE, and Mr. JOSEPH COWEN.

Bill *presented*, and read the first time. [Bill 125.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 7th March, 1878.

MINUTES.]—PUBLIC BILLS—*Committee—Report*—Contagious Diseases (Animals) (22-37).

Third Reading—Public Parks (Scotland) * (18); Glebe Loans (Ireland) * (32), and *passed.*

THE EGYPTIAN OBELISK (CLEOPATRA'S NEEDLE).—QUESTION.

THE DUKE OF SOMERSET begged to ask the Lord President of the Council a Question. A statement which had been made that unless the hieroglyphics on Cleopatra's Needle were preserved by some process, they would be obliterated by the effects of the smoke of London. He therefore wished to inquire whether the noble Duke would consider the abvisability of taking the opinion of scientific men as to the best mode of preserving the inscriptions from the destructive effects of the London atmosphere, either by glazing the monolith, as similar monuments had been glazed in the British Museum, or by other mechanical means?

THE DUKE OF RICHMOND AND GORDON said, that he would take immediate steps for making inquiries into the matter to which the noble Duke had referred. There could be no doubt that the preservation of the inscriptions was a question of great interest, and that means ought to be adopted in order to prevent their obliteration.

CONTAGIOUS DISEASES (ANIMALS) BILL—(No. 22.)

(*The Lord President.*)

COMMITTEE.

Order of the Day for the House to be put into a Committee, read.

THE DUKE OF RICHMOND AND GORDON said, he wished to make a few remarks in consequence of what passed in the debate on the Bill on Tuesday evening. The noble Earl opposite (Earl Granville) had complained that he had not answered all the points that had been raised by the noble Marquess (the Marquess of Ripon). He could assure their Lordships that any omission in that respect had not arisen from want of courtesy. The noble Earl had asked why they were not content to allow animals to come in from healthy countries instead of establishing compulsory slaughter from every country in Europe? As regarded cattle plague, all persons were very much agreed as to the necessity of getting rid of it in the manner proposed by the Bill. At the present moment cattle were altogether prohibited from Russia, Germany, and Belgium. All animals from France and the Netherlands were slaughtered at the port of landing. Cattle were slaughtered at the port of landing from Austria, Hungary, Greece, Italy, and Turkey; other animals from those countries were admitted after 12 hours' delay. The same regulations applied to animals from Portugal and Denmark. All those countries, cattle from which were admitted if healthy, had been subject to foot-and-mouth disease within the last few years. Foot-and-mouth disease came in from Spain in 1871, 1872, 1875, 1876, and 1877; from Portugal in 1871, 1873, 1874, 1875, and 1876; from Denmark in 1872, 1875, and 1877; from Sweden, in 1875, there were four cargoes of foot-and-mouth disease; leaving Norway as the only country from which we had no disease. The importation from Norway in 1876 was only 110 head of cattle; and it would, therefore, be useless to exclude Norway from the chapter of the countries dealt with by the Bill. In these circumstances, with a view to prevent the introduction of foot-and-mouth disease from these countries, the Government have thought it advisable, in the Bill now before their Lordships, to provide for the compulsory slaughter of all imported animals at the port of landing. It was obvious that if severe restrictions were to be placed on the farmers of this country, as to the way in which their stock was to be dealt with for the stamping out of foot-and-mouth disease, it was but justice to them that all possible means should be taken for preventing the introduction of foot-and-mouth disease from foreign countries into this country. Therefore it was that they had proposed to deal with foreign countries in the manner proposed in the Bill.

EARL GRANVILLE said, he was sure the House was very much obliged to his noble Friend the Lord President; but as they were only to go into Committee *pro formâ* that evening, would it not be more convenient if his noble Friend postponed till the stage of actual Committee the observations with which he wished to supplement his speech of Tuesday night?

THE DUKE OF RICHMOND AND GORDON said, in the course of the debate the other evening it was impressed upon the Government that they should consider the course which they intended to take with regard to the Bill, and especially that part of it affecting Ireland. Having had an opportunity of doing so, he thought it was but respectful to his noble Friend opposite (Earl Granville) who made the suggestion, that he should avail himself of the first opportunity of informing their Lordships what course they proposed to pursue. His object in rising was not to supplement any of the remarks he made on the last occasion; but rather to fill up some *laches* of his in not answering a few of the points raised by his noble Friend opposite (the Marquess of Ripon). His noble Friend found fault with the Government for setting aside the Report of the Committee of 1873, and acting merely on that of the Committee of 1877. If his noble Friend would refresh his memory by comparing the Report of the Committee of 1873 with the provisions of this Bill on the subject of the cattle plague, he would see that they had done nearly everything recommended by that Committee; for they had limited the ports at which cattle might be landed to those places where proper arrangements were made; they had reduced the ports for unscheduled animals from 32 to 19, and for scheduled animals from 16 to 8; they had provided for the slaughter of animals affected with pleuro-pueumonia, and made it compulsory to slaughter animals that had come in contact with diseased cattle. All those restrictions were recommended by the Select Committee of 1873. Therefore, it was incorrect to say that they had not followed the recommendations of the Committee. Then it was suggested that this measure was one that ought to be referred to a Select Committee, and he understood the grounds which the noble Earl stated were that there had been no Irish witnesses before the Committee, though there were five Irish Members serving on it, and that, therefore, the Irish case was not so fully made out as it ought to have been. He understood the noble Earl to say that he suggested the appointment of a Committee, not with a view of delaying the progress of the measure; and that he thought the appointment of a Committee need not retard the progress of the Bill for any time; but that it could be passed rapidly through that House, and be sent down to the other House of Parliament to receive consideration. The noble Earl thought it would be better to refer the Bill to a Select Committee with no view of obstruction. In that case he (the Duke of Richmond and Gordon) did not know that he should offer any opposition; but it must be distinctly understood that it was with a view of going into the Irish part of the question, assuming that English matters were dealt with by the Committe last year, and that the Committee would not go into the whole question, but would confine themselves to evidence from Ireland. He must remind noble Lords who had spoken the other night that, besides Ireland, they had to consider England, Scotland, and Wales, and that, besides cattle, sheep and pigs were liable to foot-and-mouth disease. There were 36,357,825 cattle, sheep, and swine in the United Kingdom, and only 9,453,204 in Ireland. Lord Monck, President of the Irish Cattle Plague Association, had stated at a meeting of that body, that after examination of this Bill he was favourable to it, and it was agreed, with a few alterations, to accept it. If he was right in his understanding of the views of the noble Lords opposite, Her Majesty's Government would not oppose the appointment of a Select Committee.

THE MARQUESS OF RIPON thanked his noble Friend the Lord President for his concession; but he reserved any further observations till the Motion for going into Committee to discuss the clauses.

House in Committee accordingly.

Bill *reported* without Amendment.

Amendments made; and Bill *re-committed* to a Committee of the Whole House on *Tuesday* next; and to be *printed* as amended. (No. 37.)

THE EASTERN QUESTION— THE TREATIES OF 1856—GREECE.

OBSERVATIONS.

THE DUKE OF ARGYLL rose, pursuant to Notice, to call attention to the Treaties of 1856, and to our present position in respect of them; also to move for copies of any Correspondence between Her Majesty's Government and the Government of Greece, and said: My Lords, I have no doubt it will be in the recollection of the House that when the noble Earl at the head of the Government moved, some nights ago, the Vote of Credit Bills, he expressed a hope that the country would exhibit the aspect of a united people on the Eastern Question. My Lords, I do not rise to say a single word at variance with the spirit of the wish then expressed by the noble Earl. There have been undoubtedly great and profound differences of opinion. These differences may again emerge; but there is a time for everything, and I should be the last man to revive them at a time when the Prime Minister has told us, in the most solemn manner, that he and his Colleagues are engaged day by day in the arduous effort of securing the peace of Europe, and when my noble Friend the Secretary of State for Foreign Affairs is daily exposed to attacks out-of-doors as violent as they are unjust. My Lords, I have a definite object in view which I will endeavour to explain to your Lordships, and which I hope will not be found altogether unworthy of the consideration of your Lordships' House. I rise to deal with, and if I can, dispel some widely-prevalent misconceptions with reference to the Treaties of 1856 which have obtained expression in this House, and out-of-doors—whether in attacks on the Government or in attacks on us who sit on this bench. My Lords, I think I may say that during the course of the debates which have recently been held in this House the tendency has been, on the one hand, to condemn the Government—or rather to upbraid the Government—on the ground that they have not fulfilled their obligations under the Treaty of 1856 of maintaining the integrity and independence of the Turkish Empire. There has been, on the other hand, as against those who sit on this bench, a tendency to upbraid us for not upholding Treaties in which we ourselves had our share—which, in fact, we ourselves had approved on behalf of this country, and which we contended were of the greatest value for the interests of the British Empire. Again, on the part of some there has been a rejoicing over the destruction of Treaties which those who took part in this rejoicing claim the merit of always having denounced as foolish. Those are people who say—"Did not we always tell you so?" Now, my Lords, all those references equally indicate complete misconception of what the Treaties of 1856 really were. The public impression seems to be—and that impression is one which seems to be shared in by many Members of this House — that the Treaties of 1856 were an absolute guarantee for the maintenance of the integrity and independence of the Turkish Empire, or, if not an absolute guarantee, at least a guarantee in such circumstances as have actually occurred. This being so, my Lords, I wish to recall to the mind of the House what those Treaties actually are. A short account of those Treaties may be given, and, in fact, has been given by noble Friend the Secretary for Foreign Affairs since the beginning of the present Session. In alluding to the accusation that the Turks had been encouraged to unreasonable resistence owing to the hopes held out to them by Her Majesty's Government, the noble Earl, in his own calm and philosophic manner, said that their resistance was rather owing to the difficulty experienced by the Oriental mind in appreciating the fact that the world has changed since the making of those Treaties. That is true. The world has changed since that time—your Lordships' House has changed. Looking at the bench opposite to me, there is not now a single one remaining of the distinguished men who then surrounded the late Earl of Derby, and who took part in the debates of that time. If the change even among ourselves has been very great, in Europe it has been tremendous. France is no longer the France of 1853; Germany is no longer the Germany of 1853; Italy is no longer the Italy of 1853. Since then Europe has, in fact, changed altogether. But that is by no means a satisfactory account of the change which we find in our position in regard to the Treaties of 1856. There are other causes to which we must look for the change in reference to these Treaties, and I ask the House to follow me in a calm review of the Treaties of 1856 in order that we may see what they do and what they do not say, and what are the obligations which remain under them. Now, my Lords, at first sight, Article I. of the Tripartite Treaty of 1856 does seem an absolute and unconditional guarantee. The Treaty is one between Great Britain, Austria, and France, and the 1st Article declares—

> "The High Contracting Parties guarantee, jointly and severally, the independence and the integrity of the Ottoman Empire, recorded in the Treaty concluded at Paris on the 30th of March, 1856."

Nothing apparently could be more absolute than that to anyone who never read the succeeding Articles or the Preamble of the Treaty; but it is no such thing. It is a guarantee in the event of an infringement of the general Treaty, not, of course, by Turkey itself, but by any of the other Powers; so that we are absolutely released from that 1st Article and from every part of the guarantee, unless it can be proved that there has been a previous infraction of the Treaty of Paris by some or one of the other Powers. In the general Treaty between Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey there are no fewer than 34 clauses; but the whole principle of the Treaty is to be found in the 7th, 8th, and 9th Articles. The 7th Article contains the promises which the European Powers make to each other with respect to Turkey—

> "Their Majesties engage each on his part, to respect the independence and the territorial integrity of the Ottoman Empire; guarantee in

common the strict observance of that engagement; and will, in consequence, consider any act tending to its violation as a question of general interest."

The 8th Article defines the method in which those promises are to be fulfilled. The 9th Article contains a counter-pledge on the side of Turkey towards the European Powers in exchange for the protection given to her by the Powers. Now, let us look at each of these Articles in their order. The 7th Article, my Lords, begins with what appears to be a strong declaration. It says that the united Powers

> "declare the Sublime Porte admitted to participate in the advantages of the public law and system (*concert*) of Europe."

Now, what does this mean? Had Turkey been an outlaw before 1856? On the contrary, she was a country with which nearly all the Sovereigns of Europe had concluded Treaties before 1856. They had sent Ambassadors and Ministers to Constantinople, and in every respect of International business she had been an European Power. But Turkey was not included with the other Powers in the great settlements of 1815; and it is a remarkable fact that in the war between Russia and Turkey, which happened 25 years before the Crimean War, Russia dwelt upon that fact. When, in 1828, Russia went to war with Turkey, there was this remarkable passage in her declaration of war—

> "And yet a war with Turkey would not in any way have embarrassed the relations of Russia with her principal allies. No convention of guarantee, no political combination connected the fate of the Ottoman Empire with the Healing Acts of 1814 and 1815, under the protection of which civilized and Christian Europe reposed after her long dissensions, and saw her Governments united by the recollection of common glory and a happy identity of principles and views."

Now, it was to remedy that state of things that the Declaration to which I just now referred was made by the Great Powers in 1856—a Declaration by which Turkey was made a member of the European Family, and the independence and territorial integrity of the Ottoman Empire was made a matter of general interest to the Great Powers. That is the history of this part of the 7th Article of the general Treaty, and the remaining portions of it make it clear that its sole purport was to establish the principle that the fate of Turkey was to be in the future an acknowledged matter of European concern. And now, my Lords, I want the House to remark that this Article has not the effect of excluding separate action on the part of the European Powers against Turkey. It may seem to do so at first sight; but on examination you will find that it does nothing of the kind. You cannot recognize a Power as independent without, at the same time, recognizing its responsibility towards other Powers. Turkey was not put up as a sort of elder brother, against whom no question was to be admitted. Accordingly, that she was to be responsible—like every other State—to all the Powers is conclusively shown by the following Article—Article 8—which is in these terms—

> "If there should arise between the Sublime Porte and one or more of the other signing Powers, any misunderstanding which might endanger the maintenance of their relations, the Sublime Porte, and each of such Powers, before having recourse to the use of force, shall afford the other Contracting Parties the opportunity of preventing such an extremity by means of their mediation."

I say, my Lords, this not only recognizes, but provides for the possible case of separate action on the part of the Powers against Turkey in case mediation should prove ineffectual. The guarantee given to Turkey does not contemplate an infraction of the Treaty by Turkey itself—that was a contingency which never was thought of, and could not have been provided against. The 8th Article, as I said before, contains a pledge which Turkey gives the Powers in return for what they are doing for her. And what was the demand made of her? All we asked of Turkey in 1856 for the blood and treasure which we had shed and expended for her in the Crimean War—and it was all the Great Powers asked of her for what they had done for her by the 7th Article—was that she should treat her own subjects with decency—that in her Government the common rights of humanity should be respected. According to the 9th Article—

> "His Imperial Majesty the Sultan, having, in his constant solicitude for the welfare of his subjects, issued a Firman which, while ameliorating their condition without distinction of religion or of race, records his generous intentions towards the Christian population of his Empire, and wishing to give a further proof of his sentiments in that respect, has resolved to

> communicate to the Contracting Parties the said Firman emanating spontaneously from his sovereign will."

I would particularly ask the attention of your Lordships to the last clause of this Article—

> "The Contracting Powers recognize the high value of this communication. It is clearly understood that it cannot, in any case, give to the said Powers the right to interfere, either collectively or separately, in the relation of His Majesty the Sultan with his subjects, nor in the internal administration of his Empire."

The common impression is that by the clause I have just read the Powers of Europe repudiated any right to interfere with the internal affairs of Turkey. They did no such thing. You have only to read the clause carefully to see that. No lawyer, no jurist, would so interpret it. It is not a repudiation of the right of the Powers to interfere in extreme cases. It amounts only to this—that the fact of Turkey communicating the Firman to the Powers of Europe gave them no right of interference with the internal affairs of Turkey; but the clause does not take away the right which, in the nature of things, the Powers have to interfere in the internal affairs of Turkey. It is extremely important your Lordships should see that the result of the clause is simply this—Turkey made promises to Europe, and was bound by them; but, at the same time, she was intrusted with the execution of her own promises. If those promises should be violated by Turkey, a case arises for which the Treaty does not provide, and for which, in the nature of things, no Treaty can provide. Now, another word on this point. I ask your Lordships, not as politicians, not as Members of the Liberal or of the Conservative Party, but as men of honour, in what position do we stand as regards the subject-races of Turkey in consequence of these transactions? We resisted Russian aggression; we were parties to putting Turkey in the position described in the Treaty; and we exacted formal promises from her that she would treat her Christian subjects with justice—that she would give them certain privileges. I ask, then, all your Lordships, as men of honour, does not that impose obligations on us? Word it as you please—I do not wish to lead you into extreme terms—but I say it does impose some sort of duty on our part to see those promises carried into effect. In the common language of society in 1853 and 1854, and not only in that language, but in the correspondence of public men, and in a remarkable manner in the correspondence of the Prince Consort, our position towards the Christian subjects of Turkey is described as that of a Protectorate, in substitution of the exclusive Protectorate which had been claimed by Russia. Again, be it observed, our position under the 9th Article of the Treaty of Paris excludes absolutely any help to Turkey against insurrection on the part of her own subjects. And not only this, but it imposes a duty on us, in extreme cases, of insisting on reforms. Then, my Lords, there are subsidiary clauses. One, Article 11, was for the neutralization of the Black Sea, as a guarantee against sudden attack on Turkey. Then there were two others of great importance for the substitution of European for Russian guarantee over the vassal States—the Principalities of Wallachia and Roumania, and the Principality of Servia. In those three subsidiary Articles may be read the pith and core of the whole Treaty. They are consistent with its essential principle, and they are correlative with Article 9. And now, my Lords, I ask, how have those Treaties worked during the time which has elapsed since they were made, up to the present day? But, my Lords, in the first place, before I go into particular events to illustrate my meaning as to the obligations imposed on us, let me say this to the House—that, though we professed to admit Turkey into the family of European nations, there are two important respects in which, practically, she was never admitted to an equality with the other Powers. With regard to the non-interference in the internal affairs of Turkey, the condition, from the nature of the case, became little more than mere words. There has been perpetual interference on our part with these internal affairs through our agents, through our Ambassadors, and through our Consuls. Interference in the internal affairs of Turkey has not been the exception, but the rule. We were habitually interfering, because it became necessary in the interests of Turkey herself. To such an extent was this interference carried, that I find one of our Ambassadors thought himself entitled to remonstrate with the independent Sovereign of Turkey on the expense he was going to on the marriage of his daughter. That is the way the independence of the Sultan has been viewed by us—not through any ill-will on our part, but through good-will, and to save Turkey from the consequences of her own acts. Again, there is another respect in which Turkey has never been admitted into the brotherhood of nations. She never has been intrusted with legal jurisdiction over the subjects of other nations resident in her territory. Though we have thought her administration of justice quite good enough for 14,000,000 or 15,000,000 of other people, we never have thought it good enough for a single human being connected with ourselves, and special Acts of Parliament have been passed giving Consular jurisdiction in order that British subjects should not be subject to the jurisdiction of Turkish Courts. Many years ago Lord Russell pointed to the fact that this arose, not from any desire to violate Treaties, but because, in the administration of justice, the Turkish was not a civilized but a barbarous Government.

Having referred to these general circumstances, I wish now to point out what has happened since the making of the Treaties of 1856. The first event that followed them was the Syrian massacres in 1860. It was the old story of the rival fanaticisms of the Mussulman and other tribes under Turkish rule, together with the weakness or corruption of Turkish officials. They were horrible massacres, and your Lordships will remember how they shocked the conscience of Europe, and provoked European intervention. And how does this stand with reference to the Treaty? It was not a violation of the Treaty—it was a case for which the Treaty did not provide. And what was the result? When these Syrian massacres took place, the Government of France told us that they could not abstain from interference. The other Powers agreed with her, and you will find, from the Papers presented to this House at that time, that Lord Palmerston and Lord Russell felt themselves compelled to concur in that interference. The result was an armed intervention by Europe, the occupation of Syria, and, therefore, a very decided interference in the internal affairs of Turkey. The interference of Europe, then, was the dealing with a case for which the Treaties of 1856 did not provide, and could not have provided. That was the first proof after the making of those Treaties that Turkey could not always be intrusted with the execution of her own promises. I hope the Members of your Lordships' House will make up their minds to consider whether this was or was not to be called a violation of the Treaties. I contend that it was not provided for by the Treaties. It was outside the Treaties; but it was not in violation of the Treaties. Now, what was the second event? The second event was a very remarkable one, and extended over several years—it was a series of revolutions in the vassal States of Turkey. The Roumanian and Servian revolutions, which extended over nine years, brought about—first, the junction of the Principalities of Wallachia and Moldavia; next, the appointment of one Hospodar for those two Principalities, resulting in their complete union under the name of Roumania; then the deliverance of Servia from Turkish garrisons; and, lastly, the election of a European Prince to preside over the great vassal Province of Roumania. How did Europe deal with these revolutionary movements? It was unquestionably the intention of the Treaties of 1856 that the *status quo* should be maintained, and that the vassal States of Turkey should be kept in vassalage under the Ottoman Power—divided, and not united under one Prince, and that the fortresses of Servia should be occupied by the Suzerain power, tending to keep the suzerainty of Turkey over its vassal States a reality. But the series of revolutions to which I have referred have all been tending directly to the separation and independence of these States—and yet every one of those revolutions has been sanctioned by the Powers—sanctioned reluctantly, sanctioned in some cases sulkily, but sanctioned. And why? Because it was no part of the obligations in the Treaties of 1856 to defend Turkey against insurrections. In relation to her own subjects, she was not protected by us. We had no call to protect her against the results of her own misgovernment; and accordingly, when, by hook or by crook—and sometimes by foreign aid—those insurrections succeeded, the Powers did not go to war for Turkey. That is a most significant circumstance as showing the European understanding of the Treaties. What was the next event? The great and bloody insurrection in the Island of Crete in 1867. My noble Friend the Foreign Secretary knows that I never urged that it was our duty to interfere, or accused him because he refused to interfere. My only objection to his policy was that he carried his neutrality to such an extent that he refused to allow our naval officers to rescue women and children from the brutality of the Turkish troops. That, however, was settled in the manner in which things of the kind sometimes have been settled —by a naval officer taking the matter into his own hands, refusing to carry out to the letter the instructions to the Service, and carrying into safety a large number of fugitives. Although the Cretan insurrection had no general bearing on the question of Turkey and the Contracting Powers, it had this consequence—that it was perhaps the first event that aroused public feeling in this country with respect to Turkish government. During the 10 years which had elapsed between the making of the Treaties and the Cretan insurrection, the internal administration of Turkey had scarcely been brought under the consideration of the people of this country. The Syrian insurrection had been very bad, but that was far off in Asia; and, so far as I recollect, there had been no case in which any great complaint was made against the Government of Turkey in Europe till the insurrection in Crete. The next event was the breaking out of the war between Germany and France in July, 1870. In the course of a few weeks it became apparent to the world that France had temporarily ceased to be one of the great military Powers of Europe. In these circumstances, it was the duty of those who presided over our foreign relations at that time to consider what would be the result of a quarrel breaking out between Russia and Turkey in respect to the government of the Christian subjects of the Porte; and whether, without the assistance of that great military Ally with whom we were united during the Crimean War, it would be possible for us, either physically or morally, to take the same course as we did then? I need not say what the conclusion was at which our Foreign Minister of that time arrived on the question; and I cannot help thinking that the sagacity displayed by my noble Friend behind me, who at the time held that office (Earl Granville), has not received its due meed of recognition from the fact that the public have hardly noticed the invaluable despatch which he wrote some weeks after the Franco-German War broke out, in which he gave full warning to Turkey as to the consequence which would be likely to result from any such quarrel with Russia. My noble Friend, on the 6th of October, 1870, wrote as follows:—

> "I have already told the Turkish Ambassador that I could not give assurances as to future contingencies. Would it not be more friendly to say more, and to point out that there are contingencies in which Turkey must feel sure that she could not rely upon our aid, and to impress upon her that her real safety will depend upon the spirit and feelings of the populations over which she rules? It is certain that the feelings of the Christian subjects of the Porte will be in favour of the Porte or of Russia exactly in proportion to the amount of liberty, prosperity, and order which they enjoy under the one, or are likely to obtain under the other."

This is a most invaluable warning; but it throws also invaluable light on the understanding which was held in this country at the time as to the degree and kind of obligation which was imposed upon us by the Treaty of 1856. I say my noble Friend was perfectly right—that in no circumstances would we give Turkey assistance in any quarrel arising out of her misgovernment of her own subjects, and out of her breach of covenant in this respect with the Christian Powers of Europe. By this warning Turkey was thrown on her own defence, and she was warned that she must look to reform in her own administration as the only hope of safety. We now come to the first event connected with our own country which immediately followed the defeat of France. Russia lost no time in denouncing that clause of the Treaty of 1856 which forbade her to have a Fleet in the waters of the Black Sea. She had no quarrel with Turkey. Her act was simply a spontaneous one. She said to herself—"I see my opportunity, and I will take advantage of it." Unquestionably, that act was an outrage on the public law of Europe, and my noble Friend behind me did right in entering an immediate protest against it. He pronounced no opinion against the merits of the claim. Turkey had come to possess a great ironclad Fleet; and thus, although, under the provisions of the Treaty, the Black Sea was neutralized, the Bosphorus might be armed to the teeth with men-of-war, which might at a moment's notice take possession of the whole seaboard of the Russian Empire. In these circumstances, it would not have been unreasonable had Russia brought the matter under the notice of the European Powers, and said—"This is a clause by which it is not reasonable I should be bound, and I ask you to relieve me from it." But instead of coming forward and saying this, and annulling the clause by the action of Europe, Russia did so by annulling the clause of her own will. That she should thus take the question into her own hands was a mode of proceeding against which my noble Friend very naturally protested. There was a Conference held, and as to the substance of the clause it was declared not unreasonable, that it should in the circumstances be abrogated; but a special Declaration was drawn up to the effect that such a violent act as that complained of on the part of any single Power to a Treaty was against the public law of Europe. That Declaration is as follows:—

> "The Plenipotentiaries of North Germany, of Austro-Hungary, of Great Britain, of Italy, of Russia, and of Turkey, assembled to-day in Conference, recognize that it is an essential principle of the law of nations that no Power can liberate itself from the engagements of a Treaty, nor modify the stipulations thereof, unless with the consent of the Contracting Powers by means of an amicable arrangement."

To that Russia assented; and it is well worthy of remark, that although she thus obtained liberty to build a Fleet in the Black Sea, she has never, strange to say, taken advantage of that liberty for a period of six years. During these six years the command of the Black Sea was left to Turkey, and when the war broke out—a proof, I think, that it was not long premeditated by Russia—the Government of Turkey were as completely masters of the Euxine as if there had never been any modification of the Treaty.

I now come to an event with which your Lordships are all familiar. The insurrection of 1875 broke out. What was the action of our Government? They tried to the very last moment to keep to the principle that Turkey should be intrusted with the execution of her own promises. They resisted, as long as they could, every attempt towards external interference. They said—"Turkey has given new promises—let us try her again." I do not now say anything to blame the Government for the course which they then pursued. It was an attempt in the spirit of 1856; although, if they had acted otherwise, they would not have violated the provisions of the Treaty, as I have already maintained. I do not know whether any of your Lordships have read lately the Andrassy Note; but I would advise your Lordships to read it again. No such indictment against any Government in the world has ever been signed by the great European Powers. It contains a recapitulation, extending over a period of 30 years, of all the promises which had been made by Turkey and violated. It has many pages of the severest censure on the conduct of Turkey; and it is, it should be remembered, a declaration against the misgovernment of Turkey which can never be withdrawn. Do you think such a document could be signed by all the Powers without producing some effect on the political atmosphere of Europe, and casting a new light on the position of a semi-barbarous State?

Then came the Bulgarian massacres in May, 1876, when, at last, not only the conscience, but the passion of the country was aroused, and my noble Friend opposite (the Earl of Derby) felt, in a moment, that it would be impossible to maintain any longer the policy of abstention to which they had hitherto adhered with respect to the internal affairs of Turkey. My noble Friend accordingly, on the 5th of September, 1876, wrote as follows to our Ambassador at Constantinople:—

> "For your guidance as to the language to be held by you to the Turkish Ministers at this juncture, it is right that you should be accurately acquainted with the state of public opinion in England on the subject of Turkey. It is my duty to inform you that any sympathy which was previously felt here towards that country has been completely destroyed by the recent lamentable occurrences in Bulgaria. The accounts of the outrages and excesses committed by the Turkish troops upon an unhappy and, for the most part, an unresisting population, has roused a universal feeling of indignation in all classes of English society, and to such a pitch has this risen that, in the extreme case of Russia

declaring war against Turkey, Her Majesty's Government would find it practically impossible to interfere in defence of the Ottoman Empire."

There you have the announcement to the Turkish rulers that we were absolved from the duty of protecting the independence of the Turkish Empire; that circumstances had arisen which made it impossible that we should defend it. My Lords, I say that this declaration was new only in this respect—as a declaration of the principle that the misgovernment of Turkey, and the violation of her promises, forfeited her rights under the Treaties of 1856. Was Turkey to be bolstered up as a European Power, however bad her principles and conduct might be? Clearly not; and I only say for the Government that drew up those Treaties, that they never contemplated those results; and I do not believe that even Lord Palmerston would have adopted any other language than that of my noble Friend.

My Lords, I come to the next point—the Servian War—with respect to which the Prime Minister had spoken with such severity. No doubt, the ordinary relations between a Sovereign State and its vassals might have justified such language; but it is hardly for us to be judges of the provocations that have been received from the subject populations of Turkey. We are so very comfortable ourselves at home, that it is difficult for us to estimate the full measure of such provocation, or to realize the temptations to which the neighbouring populations of Turkey are exposed; and you may take it as a fact that these populations will, on every possible occasion, try to assert their own independence. Well, the Servians went to war, and were completely beaten. What did Europe do when this happened? When the Turks were preparing to invade Servia, you said—"Forgive Servia, and resume your former relations with her." Why did you say this? Why did you deprecate the conquest of Servia by Turkey? Because you knew that it would not be allowed by Russia, or by Austria, or by Europe as a whole. You knew the law, that when once the Moslem Power has been driven from any part of Europe, it is impossible that it should ever be re-established. Now, we know what our claim is on Servia's gratitude. But what is the light thrown on the Treaties of 1856 by these transactions? The relations between Turkey and her subject States formed part of those Treaties, and this was the consummation of a series of revolutions to which Europe was obliged to assent.

Next I must mention the Instructions given to the noble Marquess (the Marquess of Salisbury) on going to the Conference. Those Instructions laid down the principle that it was absolutely necessary that some European guarantee should be taken for the execution of the promises of reform made by Turkey; and the Conference was, in fact, broken up upon that very point. Turkey would not admit even the most limited form of interference, and said—though the demands diminished one after another—that she would take her stand on her own interpretation of the Treaties of 1856, to the effect that in no case whatever had Europe any right to interfere.

Now we come to the Protocol of London, March 31, 1877, which was signed on the understanding that if peace were not obtained, the document would have no effect. It was, however, important in this respect that Russia agreed to withdraw her threats of armed intervention, and that the efforts of England had succeeded so far as to secure Turkey another respite if she would sign the Protocol. But what happened? Turkey again refused, and in terms which, considering the efforts made in her behalf, were in the highest degree insulting to the Government—

> "Turkey, as an independent State, cannot submit to any interference, whether collective or not. The Treaty of Paris explicitly declared the principle of non-intervention, and Turkey is determined to keep the place which Providence has destined her for."

What I want to represent to the House is, that up to that moment of the Protocol of London, the Treaty of 1856 was in full and satisfactory operation, and its principle was that the fate of Turkey should be settled by Europe, and not by Russia alone. It was in full force, and there was no violation of it till Turkey refused to put herself under the conditions proposed by the Protocol.

My general proposition is, that in all these long transactions, there has been no violation of the Treaty of 1856, except by Turkey. She has been the only Power systematically violating the Treaty. It seems to be almost universally believed that when Russia determined to go to war with Turkey she broke the Treaty of 1856. I do not say that her conduct may not be condemned on other grounds; but I say that Russia, in taking up the common quarrel when all the other Powers refused, in no way violated the Treaty of 1856. That Treaty contemplated mediation, it is true; but it also contemplated individual action in the event of the failure of mediation. The noble Earl at the head of the Foreign Office had said that time and patience would cure all; would have cured all the evils from which the Christian populations have so long suffered. Yes; but whose time and patience? Does it mean our time and patience, or the time and patience of those 15,000,000 of people who have been so long denied the blessings of good government? And why should this patience be demanded of them for the convenience of England, or even of Europe as a whole? Have they not waited and suffered long enough? One or two circumstances have shown us what would have happened to those populations if there had been no war. In September we had glimpses of what the state of things would be if Turkey had succeeded. During that terrible month of September, when the tide of invasion was rolled back by the repulse of General Gourko on the south of the Balkans, the Turkish Army were in possession of one of the richest parts of Bulgaria; and what was the spirit in which they acted? One of our Consuls wrote to Mr. Layard in terms of extreme horror at the conduct of both parties, and almost reviled the Bulgarians for the revengeful massacres they had committed; but he said that when the Turks were in full swing and full power there, and no insurrection was going on, their conduct was such as to lead to the belief that it was the intention of their Government to exterminate the Christian population in that part of the country. I am not going to say a word to-night in favour of Russia in any other respect than as concerns this Treaty. You may condemn her on any other ground, if you will, but not on the ground of the Treaty of 1856.

My Lords, I have only a few words more to say as to the position in which we now stand in regard to these Treaties. A controversy has been going on in the public Press, which has been taken part in by very eminent men signing their names, and affirming and disputing the proposition that war dissolves Treaties. I cannot help thinking that in this particular instance this is what the late Sir James Graham called a "logomachy." It is a dispute about abstract propositions which have no reference to the circumstances of the case. Russia, under the Treaty of 1856, had a separate as well as a collective quarrel with Turkey; she had a perfect right to go to war with Turkey, and an International right to impose her own conditions. But that we, on the other hand, have our rights and interests, and that Europe has her rights and interests, is a counter-proposition which is also equally true; and we are entitled to reject any proposals which are injurious to the interests of Europe. These two propositions, like many others in politics or in science, seem to be contradictory, but they are both true; and the only question is, whether the particular terms which Russia has insisted on imposing are such terms as really interfere with the interests of Europe? I have only to say this on behalf of those with whom I acted in 1856. In my opinion, the whole object of that Treaty would still be secured if you have really happy and independent Christian Provinces in Turkey. The form of that Treaty was to keep up the interest of Europe in that country through the then existing Government, and that Government was the Porte. But you know that, as an independent military Power, Turkey no longer exists in Europe. I hold that the objects which we aimed at in the Treaty of 1856 will be attained—so far as they can be attained—if you succeed in erecting really satisfactory Principalities in those Provinces. You cannot, however, do that under the Government of the Turks; and I believe that until the Government of the Turks is out of the way you will have these Provinces dependent on Russia. The moment there is no possibility of the Moslem Empire being restored over any part of that country, you will have developed those International jealousies which have already begun to work, and which will probably create a considerable counterpoise to the influence of Russia. I only wish, my Lords, to say this further word. I have often been asked whether it is really possible that in 1853 and 1854 we ever believed in the regeneration of Turkey. I have no right to speak for others. I was the youngest Member of Lord Aberdeen's Cabinet, and I might very well shelter myself behind the authority of much older, abler, and wiser men. But I will confess that, as a member of that Cabinet, I never believed in the regeneration of the Turks. The regeneration of Turkey is quite another matter; and I am happy to be able to produce evidence as to my views on that point—if your Lordships care to refer to a matter of so small significance as what my opinions were. In 1854 I contributed to *The Edinburgh Review* a political article on the diplomatic history of the Eastern Question, in which I expressed—as strongly as Mr. Cobden or Mr. Bright could have expressed it—my belief in the necessary fall of Turkey. But what I believed—and what other Members of the Cabinet believed—was that it was quite possible that a decently good Government could be maintained in Turkey until, by the natural progress of events, by the rise of the Christian population, and by their superior knowledge and industry, another form of Government should be peacefully substituted for the existing one. The question of the regeneration of the Turks had nothing to do with the Treaty of 1856, so long as that great change could be brought about peacefully, as was most desirable. The truth is, that we are now witnessing one of those great changes in the history of the world which we might possibly guide, but which it is absolutely impossible to control. It is a change fraught with enormous blessings to an important part of the population of Eastern Europe. And I trust that in the Conference which is about to assemble Her Majesty's Government will look to what is the real interest and honour of England, which is to see that a good Government is established in the Provinces which have been liberated by the arms of Russia.

LORD STANLEY OF ALDERLEY said, that the noble Duke (the Duke of Argyll) had renewed his accusations of oppression against the Turkish Government; but these were disproved by the prosperity of Bulgaria, which was not a mountainous country, inaccessible to tax-gathers, but a flat country, with the Turks living in the midst of the other inhabitants. The noble Duke also spoke of 15,000,000 of Christian subjects. Those figures were very incorrect, for they were nearer to the entire population of Turkey in Europe, and nearly 5,000,000 had to be deducted from them for the Wallachians and Moldavians, who had nothing to say to the Turkish Government. The noble Duke said that the conscience of Europe was shocked by the massacres in Bulgaria. How was it that it was not shocked by the proceedings of the Russians, which the Grand Duke Nicholas had just now called Holy work? Was it holy work to send 2,000 sick and wounded out of Kars to perish in the snow; to starve the prisoners in Plevna; to starve them in Roumania; to hang Polish surgeons, who were doubly protected as Austrian subjects, and under the Geneva Convention? He asked himself how it was that those partisans of Russia in this country, who named the author of all this misery the Divine figure from the North, did not tremble to follow in the footsteps of the courtiers of that other King, who, when he made an oration, shouted —"It is the voice of a god and not of a man," and they did not dread to bring upon their idolized patron the death of Herod. He desired to remind their Lordships that a short time ago a Motion was before that House on the subject of Russian encroachments on the Treaties of 1856 and 1871. But how could their Lordships possibly have accepted the Resolution of the noble Lord (Lord Campbell) after the Secretary of State for Foreign Affairs had himself set aside those Treaties by his despatch of 6th June of last year? That despatch was written as if those Treaties did not exist—and, setting aside part of the public law of Europe, the lower and selfish ground of our material interests was substituted. The noble Earl told the House that our interests were precisely defined in that despatch; but though that despatch did not define them with exact precision, some of them had been clearly defined by the Colleagues of the noble Earl. The speech of the Home Secretary—to the effect that Constantinople was not to be menaced or approached—might be taken as the most important. The declaration of the right hon. Gentleman to the House of Commons must be considered as binding on Her Majesty's Government as any statement by the noble Earl the

Secretary of State for Foreign Affairs. In the first place, it was accepted by the Government, inasmuch as it had not been modified or corrected by any subsequent declaration on the part of Her Majesty's Government. In the second place, though the two Houses of Parliament were equal, the statement of the Home Secretary was, if there were any difference, made more directly to the country, since it was made to the Representatives of the constituencies and to a larger audience; while the proceedings in the other House were reported more fully by the Press than those in their Lordships' House. The question, then, arose, why the Secretary of State for Foreign Affairs had taken steps which must have led—and had led—to that calamity which England was pledged to resist:—for since the Fleet in the Sea of Marmora went away to Mudania, it was clear that the protection of British subjects was only a pretext. Those interests were not in danger at the time; and it was a cruel and heartless act to send the Fleet into the Sea of Marmora after the warning given by Russia that that act would lead to their entry into Constantinople. It was a cruel thing to risk this; for the noble Earl must have known that the Russian Army could not be brought into Constantinople without great probability of the massacre of the inhabitants, and of the destruction of that populous city by fire, and leaving houseless all the women and children and sick and wounded. The noble Earl could not now say that the Fleet was despatched to protect British interests in the Black Sea and in the Straits; for if that were the case, why did he on a former occasion prevent the despatch of the Fleet when it might have served that purpose? When the noble Earl stated that the great body of the people of England approved of, and were therefore jointly responsible with him for, the present state of affairs, he did not correctly state the case, for the people of England—or rather that portion only which had no regard for Treaties—had approved of neutrality under very different circumstances. They had accepted it with the conditions laid down by the Home Secretary and others of the noble Earl's Colleagues, and they had been led by Her Majesty's Government to believe in the promises and assurances given by Russia at the commencement of the war. The people of England were ignorant of the very different intentions of Russia disclosed to the noble Earl by Count Schouvaloff on the 8th of June. It now appeared that the noble Earl's Colleagues were also kept in ignorance of them for 10 days——

THE EARL OF DERBY: That is absolutely a mistake.

LORD STANLEY OF ALDERLEY said, that it appeared from one of the Parliamentary Papers that the noble Earl told Count Schouvaloff on the 18th that before he could give any opinion on the terms of peace he must consult his Colleagues.

THE EARL OF DERBY: My noble Friend is speaking under an entire misconception. I do not recollect precisely what passed; but I know this—that I have kept back no communication of importance from my Colleagues for 24 hours. When I received this Paper from Count Schouvaloff, it was circulated, among the Members of the Cabinet, in the ordinary way. I understood that I was not called upon at the moment of its reception to express any opinion on its terms; and I said, when asked, that I could not do so without taking the opinion of my Colleagues.

LORD STANLEY OF ALDERLEY was glad to hear it. He would ask how England, who was at present without an Ally, could expect to have any, after having abandoned the Ally she was bound by Treaty to defend? Rome abandoned the Saguntines and paid the penalty, for Hannibal ravaged all the Ausonian cities. But Rome had only abandoned one city; and England had to answer for the desertion of many cities. When the Roman Envoys went to Spain to ask for Allies they were received with derision, and told to go and seek for them where the slaughter of Saguntum was unknown. *Ibi quæratis socios ubi Saguntina dades ignota est.* The abandoment of Khiva, of Achin, and of the thousands of old men, women, and children, who had perished on the roads from Adrianople, would be cast in our teeth when we sought for Allies. The noble Earl the Secretary of State said, a short time ago, that the possession of Armenia brought Russia no nearer to India. It might be so as a matter of miles; but Roman history again showed how fallacious was that opinion and way of looking at the matter; for Hannibal, when he reached the Pyrenees, had not got much nearer to Rome than when he was at Barcelona; yet Livy said that when he reached the Pyrenees, just as though he had already crossed the Alps, the Cisalpine Gauls rose in insurrection against the Romans. It appeared that some of Her Majesty's Ministers did not know how to receive a deputation; for the noble Earl had told one he was always glad to receive instructions from his employers. Was that the language fitting for a servant of the Crown, selected by the Crown because he was supposed to know more than the rest of his fellow-subjects of the affairs intrusted to him? and in this case he did know more, for the deputation did not know of the conditions contained in the Memorandum of June 8. The Secretary of State appeared to be rashly endeavouring to graze with his chariot wheels, as closely as possible, the boundary stones of impeachment; and if the noble Earl thought that part of the Constitution was obsolete, he might pause before causing a risk of yet greater popular tumult and excitement, which might endanger not only the Government, but also some of the Institutions of the country. The Revolution of 1848, and the fall of King Louis Philippe, were principally owing to his neglect—or supposed neglect—of the honour of France. He would conclude by appealing to the noble Earl at the head of the Government to take vigorous action, now that he must be convinced that he had the country with him; and that, more successful than Laocoon, he had been able to unmask the Sinon of Harley Street, and to persuade his countrymen not to trust to the wooden horse of Russian assurances and professions.

LORD HAMMOND said, he desired to make some observations on the present aspect of affairs and the approaching Congress. There could be no doubt that, for all practical purposes, the Treaty of 1856 was dead. We might hold an inquest over its body, pronounce a verdict of misadventure, and decently inter it; but it was vain to attempt to resuscitate it. He thought there had never been a greater delusion than the idea that the primary, if not the sole, object for which statesmen, for the last 50 years, had striven to keep alive the Turkish Empire, was to be found in any special regard for Turkey as a Mussulman Power. He ventured to assert that the real object with those who for that long period had administered the affairs of the Government of this country was not primarily to uphold Turkey for Turkey's sake, but to do so for the sake of the great European interests which would be brought in jeopardy by its downfall, and the apprehension—which would seem now about to receive realization—that the overthrow of the Turkish Empire in Europe might involve the establishment of a Russian Empire in its place. To obviate such a catastrophe, the wearisome negotiations which preceded the Crimean War were directed; the blood and treasure of that war were expended; and though it was true that the independence and integrity of the Turkish Empire were set forth as to be upheld under the Treaty of 1856, that engagement was rather as a means to an end, and not the end itself; for the general solicitude of Europe shrank from contemplating the consequences of the subversion of the Turkish Empire, and looked forward with dismay and apprehension to a general war among the Powers of Europe for the division of the spoils—to the possible establishment of Russian supremacy on the ruins of the Ottoman Empire, and to the disturbance of the balance of power in Europe, as the necessary result of such momentous changes. With such dangers we now stood face to face. We might find, indeed, in the provisions of the Treaty of 1856 faint outlines of what the general interests of Europe might require; but any attempt to patch up its remains could scarcely fail to end in disappointment. We must frame a new system, in which the interests of the several States of Europe might find an appropriate place. Happily for this country, as he gathered from the statement of the noble Earl the Secretary for Foreign Affairs some nights ago, our special interests were less directly at stake in the settlement to be made than those of other Powers. The cession of Batoum to Russia, and the cession of a frontier in Armenia which, while it included Kars, ran down to Bayazid, would not, he apprehended, materially affect our interests: and, so far as he understood, the boundary line left the head-waters of the Euphrates in the possession of Turkey, and would not intercept the caravan route between Trebizonde and Persia. But, be that as it might, the Porte had for very many years steadily disregarded our representations for the improvement of that road, and allowed Russia to attract an undue proportion of the trade to the neighbouring port of Poti, than which Batoum would be a more commodious station in the interests of Russia, and also for such European trade with Persia as, notwithstanding Custom House impediments, might follow that direction. British trade, indeed, as he understood, had found a better line of access in the direction of Persia than it had hitherto found through Turkey. As regarded another point, he was unable to share the apprehensions entertained in some quarters — that this increase of Russian territory in Armenia involved a menace to British India. The danger, he conceived, for India lay not in Russian armies, but in Russian intrigues; and the occupation even of the whole valley of the Euphrates would not facilitate those intrigues, which would be more probably directed against the British possessions through Herat and Affghanistan. But though the interests of this country in Asia might not be deeply concerned in the coming settlement, we could not disregard the interests of European nations at large, which were to be provided for in Europe. For instance, the maintenance of the navigable channel of the Danube, as it existed before the late war, was essential to the interests of Central Europe. But the transfer to Roumania of the whole navigable channels of the Delta from Isatchi to the sea, would sooner or later render nugatory all the efforts which had been made of late years for its improvement. Severed, though it might be, from Turkey, the independence of Roumania would be a fiction;—to all intents and purposes Roumania would be the vassal of Russia; and it was well-known how Russia dealt with the Danube between the Treaty of Adrianople, when she acquired the Delta, and the Crimean War, when she was deprived of it; how, acting in the interests of her own corn-growing Provinces, she evaded her engagements to improve the navigable channel of the Danube for the benefit of the rival interests of other corn-growing countries situated on its banks. The zeal and intelligence of the European Commission established under the Treaty of 1856, seconded by the skill of Sir Charles Hartley, the British Engineer of the Commission, succeeded in obtaining for the shipping of all nations a navigable channel having 18 feet or 19 feet depth of water, instead of one limited to between 8 feet and 10 feet, which only was obtained during the Russian occupation. True, indeed, engagements might be contracted for keeping open the channel; but who would venture hereafter implicitly to rely on such engagements? But after all came the great difficulty of Bulgaria, involving, as it did, questions of perplexing magnitude, among which not the least would be that of providing against the constitution, however disguised in name, of a Russian Province, comprising a very large and important portion of European Turkey; and how to reconcile the concession of absolute Bulgarian autonomy with the modified autonomy of other Provinces of European Turkey which were to be left under the suzerainty of the Sultan. The object which, from the beginning of these troubles, all the Powers professed to have in view was the amelioration of the lot of those—and more specifically of the Christians—who, whatever might be their nationality or creed, suffered from maladministration under their Mussulman Governors. But a satisfactory settlement in that respect, which would secure the peace of Europe and the well-being of the populations at large, could never be arrived at by setting up an exclusive Christian supremacy as a substitute for the exclusive Mussulman supremacy which had hitherto held sway in European Turkey. The only hope of arriving at such a settlement would seem to lie in a fusion of the antagonistic races; and he thought such a fusion was not impossible. There was no question but that, in some districts at least, Christians and Mussulmans had heretofore lived in amity and good neighbourhood with each other; and what was now required was the constitution of some responsible governing authority—Christian, if it could be found—under whose supremacy and control a system of local administration might be established, in which persons of every race, in proportion to their numbers in each locality, might find admission; which all, therefore, might equally respect; and under which all might indifferently obtain security for life and property, and enjoy equal rights and privileges in the Courts of Justice. The population of European Turkey, excluding Servia and Roumania, amounted, according to the tables in *The Gotha Almanack* of 1876, to about 8,400,000 souls, of whom about 4,800,000 were Christians or Jews—there being about 300,000 Roman Catholics, and between 70,000 and 80,000 Jews—and 3,600,000 Mahomedans; and, taking separately the Bulgaria of the Conference, there would be in the Province so constituted about 2,000,000 Christians and Jews, and 1,300,000 Mussulmans. It was impossible in such a state of things to suppose that the Mussulmans would be content to live in peace if placed in unqualified subjection to the Christians; and the alternative would seem to be social equality between Christians and Mussulmans—as he believed existed in British India between members of different creeds—or the extermination of the latter; and this could, he thought, scarcely be contemplated with complacency in any quarter. But besides this general division of the population, it must be borne in mind that the Christians were not at one among themselves. It was said in "another place," a few days ago, that the result of personal inquiry at Constantinople was, that it admitted of proof that there was a temptation to persecution on the part of the Greek Church. It was notorious, indeed, that much of the persecution to which the Greeks had been exposed originated with the Greek clergy, who did not hesitate to invoke the support of Mussulman authorities to enforce their pecuniary exactions from their flocks. It was no less well known that in some quarters Roman Catholics had suffered—and, indeed, were still suffering—from the intolerant spirit by which the Greek Church when dominant was actuated; and not long since a statement had been put forth by the pastor of a Protestant community in Macedonia—whose trustworthiness was, he understood, admitted by well-informed persons in this country—as to the sufferings of Protestants in Bulgaria at the hands of Greek Church authorities. Moreover, the systematic oppression and persecution to which, not only in Bulgaria, but also in Servia and Roumania, the unfortunate Jews were exposed, were notorious. In such a state of things it was impossible not to concur in the opinion that there could be no greater boon to the rising nationalities of Turkey than that the influence of England should be used, as far as possible, not only on behalf of all persecuted peoples—whether Jews or Protestants—but also to save the majority of the population from the horror and misery which they would bring on themselves if they encouraged a persecuting spirit. Such a boon it might be in the power of the Congress to provide; and, at all events, we might, he hoped, derive an assurance from what fell from the Secretary of State for Foreign Affairs some short time ago—that Her Majesty's Representatives in the Congress would be instructed earnestly to endeavour to secure that boon for the whole population of European Turkey. One word more, and he had done. Whatever conclusions the Conference might arrive at, it might be hoped that they would not involve this country in any entangling engagement in the form of guarantees. We had had sufficient experience of the illusory character of such engagements; and it was surely unworthy of a great Power to undertake with others a responsibility the discharge of which did not depend on itself alone, and which might be rendered impossible by circumstances which it had no power to control.

THE EARL OF CARNARVON: My Lords, if the present state of affairs was, in my opinion, one of the same political tension that has existed for the last few weeks, or if I thought there was any risk of hostilities being renewed or extended, I should preserve silence on the present occasion. I trust, however, that this is not the case; and I can assure your Lordships that I have no intention of saying anything which might tend to embarrass Her Majesty's Government. One reason for the few remarks which I desire to make is this—that while I have listened with admiration to the singularly lucid way in which, from his point of view, the noble Duke opposite (the Duke of Argyll) has stated the history and the view he takes of these Treaties, I cannot say that I quite agree with the moral which he draws from the facts. If I understood him rightly, he holds that the Treaty of 1856 imposed certain obligations upon Turkey, and that the other Powers who were signataries to the Treaty having corresponding duties were entitled, either jointly or separately, when the obligations of Turkey were unfulfilled, to intervene. I admit that the Treaty imposed duties upon Turkey, because, as the noble Duke pointed out, the 7th Article provides for the admission of Turkey into the European concert; but the Treaty also imposes upon Turkey corresponding obligations. She was thenceforward to provide better government for her Christian populations, and to carry out those reforms which she had long before specified. Those reforms were, in the reign of the Sultan Abdul Medjid, formulated in a famous document; but that document for years remained a dead letter, and when the Treaty of 1856 was agreed to, the terms were re-imposed; and how have they been executed? They have remained, to all intents and purposes, a dead letter, and the condition of the Christian subjects of the Porte remained in most essentials the same as before. The abuses grew with increased strength; until at last the Turkish Government, having become a borrower to a very great extent, was compelled to repudiate her obligations, and to acknowledge herself to be practically bankrupt. That bankruptcy was an important point in the matter; because, if there had before been any question as to her executing the promised reforms, the fact of her becoming bankrupt rendered it impossible for her to fulfil her undertaking. Turkey, therefore, having accepted the Treaty of 1856, with its obligations, failed in her performance of them. On the other hand, Russia also submitted to the Article in the Treaty which provided for the neutralization of the Black Sea and for the non-maintenance of military and maritime arsenals. It is known that the Article was one to which Russia only submitted after difficulty; and I do not think the noble Duke will deny that the reluctant assent of Russia was mainly due to pressure brought to bear by the English Government. This being so, it was, perhaps, not unnatural that Russia would watch carefully for an opportunity to procure the cancellation of this particular Article of the Treaty. That opportunity presented itself in 1871, and Russia obtained the abrogation of the Article to which she objected, but she did this by obtaining—whatever the circumstances may have been—the formal assent of Europe. There was a departure from the original contract; and there can be no doubt that as Turkey failed in her obligations, so Russia had failed in hers, though she did subsequently obtain the consent of Europe. The moral I would draw from this state of facts is, that we must look to it carefully in any European arrangements that are now made, that they shall not only be practicable, but shall have a fair likelihood of being carried into effect. They will be of little value if they carry in themselves the seeds of early dissolution. They must take into account the tendencies and affinities of nations, and the plain indication of events. We must look beyond the immediate consequences and exigencies of the moment. It is comparatively easy for conquerors to proceed on the *væ victis* principle—it is easy for bystanding nations to patch up hastily a quarrel and put it, like an unclean thing, out of sight; but a quarrel thus made up affords but an insecure foundation for the future well-being and peace of the countries interested. It was, as we all know, the policy of the First Napoleon to press his Treaties upon reluctant and conquered nations without any reference to the future; and we know what the result of that was. We have also seen in a recent war a great military Power extorting two Provinces from France; but does anybody suppose that France would have assented to such a cession of territory except under a sense of absolute compulsion, and that a large proportion of the French nation do not look to the time when they may regain what has been wrested from them? It may be said, in answer to this, that the Treaty of Vienna lasted many years comparatively unimpaired. It was only comparatively; but so far as it did remain unimpaired, it was maintained by the exhaustion of all parties concerned. In addition, those who look to the circumstances, to the times, and the conditions under which the Treaty of Vienna was framed, will admit that it was singularly moderate, and that to its moderation is in a great measure due the permanence that followed its arrangements. Therefore, I trust that in the forthcoming Congress Europe will look not merely to the immediate exigencies of the case, but to the future and permanent condition, and will consider what is likely to endure, as well as what may satisfy the requirements of the moment. Nature in all these matters is stronger than the mere parchments of diplomatists; and, if the necessary territorial re-arrangements are made with foresight and sagacity, we may look for a long endurance of them —I will not say for absolute finality, for that exists neither in politics nor in any decree or institution of man. I do not desire to go into any details of the question, or to deal with any matters affecting special interests in which this country is engaged. Nor do I desire to touch upon the relations of different foreign countries. In the immediate face of the coming Conference I think it would be undesirable to do so. One thing, however, I desire to say, and very much in the sense of the noble Duke —namely, that the condition of things as regards Turkey and her Rulers, especially in relation to Europe, has absolutely passed away. I do not deny that in a merely diplomatic point of view the position which Turkey held as regards this country was a convenient one. It was the position of a Government not strong enough to stand by itself, but strong enough to stand with the support of England—a Government holding the keys of the Bosphorus and the Dardanelles, and exercising an important influence in the East. A Government such as that, living under the protection of England, was, in a diplomatic point of view, undoubtedly convenient. But any reasonable person who has watched the course of affairs, and who has read history, must have seen that such an arrangement as that was necessarily in its nature temporary. Well, that condition of things has, I believe, absolutely passed away, so completely passed away, that if it were possible to revive a real and substantial portion of Turkish authority in these countries, it may well be questioned if such a revival would be for English interests. Whether we regard the change which has occurred with or without apprehension, it is equally important that we should be clear on that point before this country goes into Conference or Congress; and what there will have to be considered is this—what shall be the substitute for that which has passed away. I do not look for a substitute being found in any possible revival of a dead Government and a fallen race—*umbra et imago cadentis civitatis.* You cannot re-establish this. Nor do I look for a substitute in the over-shadowing power of a colossal Empire. A better—and perhaps indeed the only—substitute is, in my mind, to be looked for in the improvement and gradual strengthening—it must be most gradual—of the subject-races of Turkey —not few in number, and, as I quite admit, possessed of the faults and vices which a long servitude has engendered, but who, after all, possess the germs of vitality and progress. That is the substitute to which I look; but, anyhow, whether that be so or not, there is a large work of re-construction to be performed. My Lords, it is no light task that lies before the Congress; and I cannot resist expressing an earnest desire that if those races be accepted as the substitute for the state of things which has passed away, this country at least may be fortunate enough to gain the good-will of those people. There is nothing in this wish which ought to offend any man or any Party. Such a wish is, I think, in strict conformity with the true interests of this country. It is a wish which I remember was expressed by my noble Friend the Foreign Secretary some years ago. The broad statesmanship of Lord Grenville, the generous policy of Mr. Canning, the enthusiasm even of Lord Byron, still live in the recollection of the East, and make it not difficult for us to acquire the friendship and good-will of those races. It may be said that recent events have lost us that good-will. If that be so, it is not impossible to regain it. The differences of neighbouring nations and races are proverbial; and, although it may sound ill for human nature, it is absolutely certain that while, on the one hand, it will be difficult for Russia to preserve the gratitude she has won, on the other hand, by good policy on our part, I believe it will be easy for England to acquire it. I trust the Congress will keep steadily before it this view—that the great object should be, not a temporary, but a permanent settlement—as far as human effort can achieve it—of this great question; for it would be beyond the power of all words, shocking and repulsive to think that after the torrents of blood that have been poured forth, after the amount of human agony that has been inflicted, there should, in a few years, be a repetition of those horrors.

THE DUKE OF SOMERSET said, he did not think this was the time to come forward and recount the misdeeds of the Turks. He regretted that in this moment of defeat any one should have come forward to trample on the vanquished, and to flatter the arrogant. What did his noble Friend who opened the discussion say of the Treaties? It amounted to this—that they bound Turkey to take care of her Christian subjects; that England had an equal right with Russia and every other Power to go to war with Turkey to effect that object; but they gave to Turkey no matter of right whatever, and his noble Friend said that the partitioning of Turkey would be no violation of the Treaties. He could not help regarding that as a very strange view to take of those Treaties. He must ask what was the value of the Treaty at all? Was not the object of the Treaty to keep the peace in the East of Europe; and, if so, were not these wars violations of the Treaty? He was not a party to it, and was not in the Government at the time of the Crimean War, and could therefore speak with impartiality; but he did regret that they had such an attack from his noble Friend on a conquered and prostrate Power, our ancient Ally, and with whom we had a trade amounting to £11,000,000 or £12,000,000 yearly. With respect to the future, he hoped that now Turkey was, as he might say, "gone," something would be done for her unfortunate population, who had suffered so much, and that this country would do all in its power to lessen the misery which the war had occasioned.

THE DUKE OF RUTLAND regretted that Russia had not spoken out more plainly and frankly with regard to the Treaty of Peace, and with regard to the terms of that Treaty. If she had done so, it would have allayed the great alarm, almost amounting to panic, which prevailed in this country. At the same time, he must confess we were, in a great measure, to blame in the matter; for surely we gave the Emperor of Russia no encouragement to lay his plans before us. They had, unfortunately—or perhaps we should rather say fortunately—a war party in the country — there always was such a party—and he was grieved at the language used by Members of that party in that House, and in the House of Commons—language which, in his opinion, was scarcely becoming so great and powerful a nation as this was. When such language had been used, and in such places, he thought that they could not be astonished that the Emperor of Russia had not made us his confidant in giving to us before the other Powers information as to the terms of peace. The noble Duke opposite (the Duke of Argyll), in his able speech, had displayed great knowledge of the Treaties of 1856 and 1871—but into that question he (the Duke of Rutland) would not enter. He might, however, observe that he was opposed to the Crimean War, and that he had at the time done his utmost to prevent this country from entering into hostilities against Russia. The course which he then took he had never regretted; but he was, nevertheless, prepared to admit that the Crimean War had produced three great advantages. It proved, in the first place, that the British Army was as full of determination and pluck as it had shown itself to be at any previous period of our history. It gave us, in the second place, an insight into the mal-administration of the Army, and the many respects in which it required reformation—and which, he believed, had since been reformed—so that he hoped it was now in a satisfactory condition. There was a third advantage which we derived from that war, and that was knowledge that neither by force of Treaties nor of arms could Turkey be upheld, and that she was an anachronism in the European system. That a war party, at the same time, existed in the country could not, he thought, be denied; and he was reminded by that fact of a story which was told him by a noble Friend of his who happened to be travelling in a railway carriage with another gentleman, shortly after a horrible murder had been committed on one of the Metropolitan lines. The gentleman who was with his noble Friend turned to him and said—"I wonder you are not afraid to travel in this carriage with me alone." "Afraid," replied his noble Friend; "why should I be? I do not suppose you mean to attack me; and if you did, you may be perfectly sure I could defend myself." Now, that was the way in which, in his opinion, we ought to meet the apprehended danger of Russian invasion. Such a mode of meeting it would certainly be more becoming to the greatness, real power, real strength, and enormous resources of England, than indulgence in anything like alarm or panic. He was happy, he might add, to find that the preliminaries of peace, at all events, had been concluded; and he hoped the Great Powers would soon go into a Conference, not with a view to bolster up Turkey, but to find for her Government some substitute, and make some satisfactory and permanent arrangement. If in that Conference the Representative of England, whoever he might be, found that her interests were threatened, Her Majesty's Ministers, as well as the Opposition, would, he felt assured, be prepared to defend her rights and interests, while bearing in mind that, in the words of his noble Friend the Foreign Secretary, the first interest of England was peace.

THE EARL OF FEVERSHAM said, that much had been said of the misgovernment of the Porte; but he would remind their Lordships that when the troops of Russia first burst across the Danube, they were surprised at finding that the condition of the Bulgarian population was much better than they had anticipated—much better, in fact, than that of Russia herself. Then, with regard to the destruction of the Turkish Empire and Government, he wanted to know what they proposed to substitute for them? He thought that would be a very difficult problem to solve. The noble Duke opposite, who had included in his Notice a Motion for Papers relating to Greece, had not said a word about that country throughout the whole of his speech—although the Greeks constituted a large portion of the Christian population of European Turkey, and although, according to the proposed partition of Turkey, Greece would be completely cut off from Constantinople. The object of Russia was to keep out Greece from the new arrangements, and to extend Slav territory as far southwards as possible. If we were to succeed in the unjust, impolitic, and inconsistent policy of driving the Turks out of Europe, Greece, he contended, had the first claim on our generosity. A great portion of the speech of the noble Duke (the Duke of Argyll) was founded on the assumption that there had existed in this country a party so far favourable to maintaining the independence and integrity of the Turkish Empire that they would have joined in a war against Russia and united with Turkey. He (the Earl of Feversham) had never heard of such a party. He heartily regretted the refusal of Turkey to agree to the demands of the Conference, or to the Protocol of London; for a little timely obedience would have saved her many future disasters; but the result of her obstinacy had been, as everyone knew, to leave her dependent on her own resources. The noble Duke had said that it was open to any Power who had been a signatary of the Treaty of 1856 to take separate action; that, however, was not the opinion expressed by the noble Earl the Secretary of State for Foreign Affairs in his despatch of May 1, in which he censured the Russian Government and denied the right of any one Power to release itself from its engagements without the consent of the other contracting parties. A policy of conditional neutrality was, no doubt, very commendable; but the noble Earl must have known that the further the Russians advanced beyond the Balkans the more onerous would be the terms of peace. He could not but regret that when Plevna had fallen the noble Earl had not asked for some assurance or guarantee that the victorious armies would not advance further than Adrianople. If some such step had been taken the Government might very fairly have said that further progress on the part of Russia would endanger interests which we should be prepared to defend; and if the Russian Government had declined to give the required guarantee, we ought to have taken action for the maintenance of those interests, even though we desired to avoid war. We should have sent our Fleet into Turkish waters; and in that case Turkey would not have surrendered her last lines of defence, and we should have been in the position of the *beati possidentes*, and masters of the situation instead of Russia. The limitation of the Russian advance would then have been the condition of our neutrality. With regard to the terms of peace, he was afraid that European Turkey would disappear, while Bulgaria would practically fall into the hands of Russia. In Armenia, if Russia was to have Kars and Batoum and Erzeroum, she would have bases of attack from which she could dominate the whole country, and which would render her a standing menace to India. As for Constantinople itself, he trusted that nothing would be done which would leave Turkey wholly weak and powerless, but that some amount—and a considerable amount—of territory in Europe would still remain under direct Turkish rule, and that, notwithstanding what had fallen from noble Lords who had turned their backs upon history and flung Treaties to the winds, we should try to retain as much as we could of those Treaties that had hitherto secured the interests of this country.

THE EARL OF DERBY: My Lords, the state of your Lordships' House would not encourage anyone to enter at unnecessary length into the questions, however important, which the noble Duke has raised in this discussion. At the same time, I do not wish to appear wanting in courtesy to my noble Friend, or to your Lordships. The noble Duke dealt mainly with retrospective questions—and, for my own part, I can perfectly understand his very natural and proper desire to explain and to justify the position and the views which he held at the time of the Crimean War. I am not, my Lords, disposed to criticize the statements of my noble Friend with regard to the Treaty of 1856, and for this reason—that inasmuch as I agree with him in his general conclusion, I do not know that it would serve any practical purpose to dispute or cavil at the arguments by which he arrived at that conclusion. I cannot, however, go quite so far as he does in one respect. When I read that 7th Article of the Treaty of the 30th of March, by which we engaged to respect the independence and territorial integrity of the Ottoman Empire, to guarantee the strict observance of that engagement, and to consider any act tending to its violation as a question of general interest, I cannot quite reconcile myself to the construction that that implies nothing more than that Turkey is admitted into the concert of European Powers. When you recognize and guarantee the independence and integrity of a nation, you certainly give some pledge that you will endeavour to prevent that integrity and independence being violated, though it may be a question how far you will go in your efforts for that object. But I quite agree in the practical conclusion of the noble Duke that that guarantee, whatever it may be worth, does not involve an obligation on the guaranteeing parties to make war. It is expressly said that any act tending to the violation of the guarantee is to be considered a question of general interest; and nobody who examines the language of the Treaty will fail to see that that form of words would never have been adopted if it had been intended to bind each of the guaranteeing parties to make war. But I should be inclined to look at the matter from a more general point of view. I think we may take it for granted that if, at the time of the Crimean War, English statesmen and the English public had been told—"This is not a thing that you are doing once for all; you may set the Turkish Empire on its legs for another 20 or 25 years, but at the end of that time you will have to do the same thing again, and each succeeding generation of Englishmen after another will have to repeat the process for an indefinite length of time"—if that, I say, had been fairly put before the country, I think it is certain that we should never have had a Crimean War at all. I look upon the policy of that time as an attempt to see whether, by obtaining for the Turkish Empire a generation of peace and security from outward attack, it might not be possible to make that State really independent, self-supporting, and strong enough to protect itself against other Powers. That experiment has been tried; and, whatever we may think as to who it is on whom the blame should rest, the fact remains that Turkey has not shown itself to be a State which is able to stand permanently on its own resources. So far, then, as the trial of this experiment is concerned, the object aimed at by the Crimean War has been attained, and the result has been unsuccessful. I agree, therefore, with the noble Duke's practical conclusion that we were quite free to decline to go to war in defence of the Turkish Empire. With regard to the other question which he raised—namely, as to the duty imposed on the Powers which guaranteed the Turkish

Empire, to see that proper protection was given to the subject-populations, there, again, I should say it is very difficult to lay down any fixed and definite rule. I agree with my noble Friend that as far as the Treaty itself goes it does not settle the question one way or the other. It simply says that the issue of the firman by the Sultan in favour of his Christian subjects is not to give to the contracting Powers any right of interference which they did not possess before. But whenever you take up the attitude of Protector towards any State, it follows as a necessary consequence that the assumption of that position involves a corresponding right of interference. Whenever we have discussed that subject in this House —and we have done so on several occasions within the last two years—I have always said that the practical limit of our right and duty of interference, as it seemed to me, was not so much one to be found in the letter, or even in the spirit of any Treaty into which we had entered; but was a limit fixed and defined by the practical impossibility of carrying into effect a policy of minute interference and intervention. With regard to the circumstances of the last two years, it is a question of simple fact that, foreseeing the great European complication which would follow on the Russo-Turkish War, we have done everything which seemed to us to lie in our power to prevent that war, short of a resort to force, or, what is the same thing, a menace of force. We hesitated a good deal before we agreed to join in the Andrassy Note, and we declined to take part in later proceedings, which were a further development of the same policy. We did so, because we were reluctant to embark on a course of action which we knew had been more or less arranged and settled by other Powers among themselves; but with regard to the aims and objects of which we were altogether in the dark. When that matter had ceased to be in question, we interposed to put an end to the Servian War—ostensibly on the face of it for the protection of Servia, but also with the distinct idea in our minds, that if the Turkish generals had pushed their advantages as they might have done, Russia could have taken part in the quarrel, and a Russo-Turkish war would inevitably have broken out. I must add that at the proceedings of the Conference, again, we gave the Government of the Porte a fair and honourable mode of escape out of its difficulty. The Turkish Government very unwisely refused to avail themselves of the opportunity so offered to them. We were not even then discouraged. The idea of the Protocol was not one which originated with us; but we accepted it willingly, and it was proposed to the Porte as an expedient which might probably have served to avert war. The Turkish Government again refused to avail themselves of that opportunity—acting, as I have always believed, and still believe, not so much from overrating their own resources, or underrating the dangers to which they would be liable, as from the conviction that, do what they would, war was sooner or later inevitable, and therefore they might as well have it at once. However, when that was done—when the Protocol was rejected—it was clear that our part was played out, and that we had no alternative left us, except either to take part in the war, or to assume a position of neutrality. And, practically, there was no option; for a course of neutrality was the only course which any Government could at that time have adopted consistently with the state of public feeling in this country. The noble Earl (the Earl of Feversham) has asked why we did not interfere when the Russians had crossed the Balkans, and tell them that they must not go beyond Adrianople. There were two reasons. In the first place, a declaration of that kind would have been a wide departure from the conditions of neutrality which we had announced; and, in the next place, if we had fixed on Adrianople, or any other point, as the limit of the Russian operations, the inevitable effect would have been that the Turkish Armies would have fallen back beyond that point, and we should have been compelled, whether we would or not, to have become parties to the war. I may mention in this connection that I have observed frequent criticisms on the conduct of Her Majesty's Government in not taking up the Russian terms of peace in the summer, and endeavouring to induce the Government of the Porte to accept them. My answer to that is, simply that no man is bound to attempt to do that which he knows on the face of it to be impossible. The

Russian Armies had at that time made no considerable progress; and very shortly after those terms were communicated to us there began that remarkable series of temporary successes which the Turkish forces obtained; and your Lordships may judge of what the feeling at that time was in Constantinople, by the fact that a Turkish official —whether then actually in office I do not know, but a man eminent in public life—expressed to foreign diplomatists his hope that if the Porte succeeded in conquering the Russian Province of Georgia, Europe would allow them to keep it. Your Lordships will judge whether a people in that state of mind were likely to accept a peace such as was proposed by Russia. As to the general position, every man sees and feels that the state of things contemplated in 1856 and 1871 is a state which has ceased to exist. We may take those Treaties as a point of departure. We may say that we consider them as still binding, until Europe has ratified new arrangements; but if we take them as the point of departure, it is, undoubtedly, with the intention of departing from them. Your Lordships will not expect me to enter upon the question of the coming Conference, or to say what will be the language or the conduct of England at that Conference; but one or two principles, I think, we may at once lay down. We wish the settlement to be a settlement in a European, and not in an exclusively Russian sense. We wish it to be one which, as far as circumstances allow, may have in it an element of durability. We wish it to be one also which, as far as circumstances admit, will hold the balance fairly between different races and creeds. But I should only be deceiving your Lordships if I were to hold out the hope that the Conference will have before it an easy task. We have six Governments to deal with; each has its own view of the settlement that would be most desirable; and most of these Governments look at the question not merely as it concerns the points immediately in dispute, but as its decision may operate on the general system of European politics; that circumstance creates a condition of things, which is of no common perplexity. We will do what is in our power to bring about a satisfactory result; but what the result will be, it would be unwise in any man to attempt to predict.

THE EARL OF DUNRAVEN said, he wished the noble Earl the Secretary of State for Foreign Affairs, when the Russian Ambassador told him it was not the interest of Russia to interfere with the road of England to India, had asked him what he meant by the road to India. He should not be surprised if Russia felt that round the Cape was the best way for soldiers to go to India. That would not be so strange as that Englishmen should think that, because there existed a road at present to India through the Suez Canal, that, therefore, was and always must be the best road to India; when we knew that if Russia obtained all she wanted in Asia Minor, she might, in four or five years, construct a railway to India. We were not specially interested in Turkey in Europe, and Austria would take care that a powerful Bulgaria should not be established on her frontier. It had often been hinted to us that if we wanted Egypt, there would be no great objection to our taking it. Egypt was interesting to us financially, but the country itself was of comparatively little importance to us. The Suez Canal was, of course, important; but we did not want Egypt in order to safeguard the Suez Canal. That would be safeguarded as long as we held the sea. It was the interest of a great many people that England should acquire Egypt. Every enemy of England wished to see her acquire Egypt; because her doing so might bring her into collision with France. It had been said that Turkey in Europe, as a military Power, had ceased to exist. 'At the end of the Franco-German War it was said that France, as a central military Power, had ceased to exist. Whether Turkey had ceased to exist as a military Power we could not tell yet. France, in a few years had sprung up as strong, if not stronger, than ever, and nobody could deny that the bulk of the Turkish nation had shown themselves to be full of vigour, and possessed of great vitality.

LORD CAMPBELL said, that even at that hour and in a House so thin he had risen for a moment to place himself in the same line with the noble Duke who had spoken on the right (the Duke of Somerset) and his noble Friend who had just sat down (the Earl of Dunraven). They must have both convinced the

House that the noble Duke who opened the debate (the Duke of Argyll) had not represented the Opposition benches. As that noble Duke had gone away—without one remark upon the Motion he concluded with—it might not be appropriate to touch on anything which seemed inaccurate or contradictory in his picture of events since 1856. But, as regarded his general arraignment of the Ottoman Empire, he (Lord Campbell), at a proper time, would be disposed to meet it, both as regarded the engagements the Sublime Porte had entered into, the degree to which they had been acted on, and the persons who were really to be blamed for their imperfect execution. While listening to the noble Earl the Secretary of State that night, he (Lord Campbell) was forcibly reminded of the "destructive criticism of Treaties," which a year ago the noble Duke had imputed to him as a habit. The noble Earl appeared to be resolved that night to give the noble Duke a copious illustration of it. But he would not detain their Lordships. If it seemed to him a duty to bring any further views before the House previous to the Conference, he would attempt to do it in some other manner. Little as he concurred with the arguments of the noble Duke, had he been present to divide the House upon his Motion, he (Lord Campbell) would have been able to vote with him upon it.

House adjourned at Nine o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, 7th March, 1878.

MINUTES.]—Supply—*considered in Committee —Resolutions* [March 4] *reported.*

Public Bills — *Ordered* — *First Reading* — Mutiny*.

Committee—County Government [93], *debate adjourned.*

Committee—*Report*—Factories and Workshops [3-126].

Third Reading—Exchequer Bonds (£1,000,000)* [121]; Public Baths and Washhouses* [37], and *passed.*

Lord Campbell

QUESTIONS.

POLICE SUPERANNUATION—LEGISLATION.—QUESTION.

Mr. COTES asked the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to introduce a Bill during this Session to amend the Law relating to Police Superannuation, founded upon the Report of the Select Committee presented to the House last year?

Mr. ASSHETON CROSS, in reply, said, he could not promise to introduce the measure this Session; but it was one which would not be lost sight of, and if an opportunity offered before the close of the Session he might introduce it.

POST OFFICE—MAILS TO THE WEST OF ENGLAND.—QUESTION.

Dr. LUSH asked the Postmaster General, If any steps have yet been taken for the transmission of letters to the West of England by mail train from Basingstoke to Exeter, instead of by the present system of mail carts; or if he can hold out any hope of an early compliance in this respect with the general wish of the inhabitants of the large district interested in the adoption of the proposed change?

Lord JOHN MANNERS, in reply, said, the establishment of a night mail train from Basingstoke to Exeter would be of little, if any, advantage to the mail service, and the present mail carts could not be discontinued except at a complete sacrifice of cross post communication involving most serious inconvenience to the public. The present arrangements afforded a much better service for the correspondence generally than could be provided by a mail train as suggested.

METROPOLIS—HYDE PARK.

QUESTION.

Sir CHARLES W. DILKE, asked the First Commissioner of Works, in reference to a statement made by him last year as to the erection of a house in Hyde Park, If he will further explain what is the purpose to which a second house now being built in the same portion of the Park will be applied?

MR. GERARD NOEL: Sir, the second house to which the Question of my hon. Friend refers makes no fresh encroachment on the Park. He will, no doubt, remember that last year I asked the House to vote the sum of £500 to pull down and re-build the old storehouses in Hyde Park, which were in a very dilapidated condition, and quite unfit to protect the tools and implements used for the arrangement and cultivation of the Parks. The object for which this new building is being erected is to replace the old storehouses, and it is built almost on the identical site and within the storeyard.

TURKEY—GREEK REFUGEES.

QUESTION.

MR. EVELYN ASHLEY asked the First Lord of the Admiralty, Whether he will send some of Her Majesty's ships to the coasts of Epirus and Thessaly, with instructions to take to a place of safety any Greek women and children who may wish to escape from the Turkish irregular forces?

MR. W. H. SMITH: Sir, in answer to the hon. and learned Gentleman, I am glad to be able to say that Her Majesty's ships are already on the coast, and that the *Rapid* on Sunday last removed 180 women and children from Santa Quaranta in Epirus to Corfu. Her Majesty's Consuls in Epirus and Thessaly have full authority to call for the presence and assistance of Her Majesty's ships whenever necessary for the protection of life.

SCOTCH UNIVERSITY COMMISSION.

QUESTION.

MR. LYON PLAYFAIR asked the Secretary of State for the Home Department, When the Report of the Scotch University Commissioners will be laid upon the Table, and be distributed to Members?

MR. ASSHETON CROSS: Sir, the Report of the Commissioners is out of my hands now, and the matter rests entirely with the officers of the House; but I will speak to them to see if it can be hastened.

PUBLIC HEALTH — DEATH-RATE OF THE CITY OF DUBLIN.—QUESTION.

MR. MELDON asked the Chief Secretary for Ireland, Whether his attention has been called to a Memorial, which was forwarded on the 4th of January last to the Lord Lieutenant, by the Executive Committee of the Dublin Sanitary Association, and assented to by the Public Health Committee of the Corporation of Dublin, praying the Lord Lieutenant to direct a public inquiry into the cause of the long-continued excessive death rate of the city of Dublin; whether, as President of the Local Government Board of Ireland, he will take any steps to have such an inquiry held; and, whether he will lay the Memorial upon the Table of the House?

MR. J. LOWTHER: Sir, my attention has been called to the Memorial to which the hon. and learned Gentleman refers, and which is now under consideration. I understand, however, that the assertion that the Memorial was assented to by the Public Health Committee of the Corporation of Dublin is not strictly correct. I believe that the terms of the Resolution passed by the Public Health Committee on the subject are to the effect that the Committee is not prepared to apply for such an inquiry as that suggested by the Dublin Sanitary Association. I am bound to say that, so far as I am at present advised, there does not appear to be sufficient ground for holding an inquiry. There is no objection to a Copy of the Memorial being laid upon the Table of the House if the hon. and learned Gentleman desires to move for it.

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.

QUESTION.

MR. O'CLERY asked the honourable Baronet the Member for Walsall, Whether his attention has been called to the fact that Petitions, purporting to be signed by over 90,000 "working men and other inhabitants of the city of Dublin," have been presented during the present Session against the Irish Sunday Closing Bill; whether he is aware that there are few, if any, women's signatures attached to these Petitions, and that, according to the Census Returns for 1871, there were only a little over 70,000 male adults above 15 years of age in the city of Dublin; and, if the Committee on Public Petitions intend to take any action in the matter?

Sir CHARLES FORSTER: Sir, in reply to the Question of the hon. Member, I have to say, with regard to the first part, it is perfectly correct. With regard to the second part, the Committee had not present in their minds the Census Return of 1871. The Committee is not accustomed to take action on mere inferences, but require substantial and positive proof; and, therefore, as at present advised, they do not intend to take any action in the matter; but if the hon. Member desires to examine these Petitions, every facility will be afforded him for so doing.

THE KINGDOM OF GREECE—PROTOCOL, &c.—QUESTION.

Mr. FORSYTH asked Mr. Chancellor of the Exchequer, If he will lay upon the Table of the House, in a consecutive form, Copies of the following Papers relating to the establishment of the kingdom of Greece, viz.—1. The Protocol of the 4th day of April 1826, signed at Saint Petersburg; 2. The Treaty between Great Britain, France, and Russia, dated the 12th day of December 1827; 3. Protocol of Conference held at Poros the 12th day of December 1828; 4. Protocol signed at London the 22nd day of March 1829; 5. Protocol of the 3rd day of February 1830?

The CHANCELLOR of the EXCHEQUER: Sir, there will be no objection to lay the Papers on the Table if the hon. and learned Member will move for them. Perhaps the hon. and learned Member will confer with me or with my hon. Friend the Under Secretary of State for Foreign Affairs as to the form in which the Papers should be presented.

THE WATERMEN AND LIGHTERMEN OF THE THAMES.—PETITION.

QUESTION.

Captain PIM asked Mr. Chancellor of the Exchequer, Whether his attention has been called to the Petition of the Watermen and Lightermen of the River Thames; and, whether the Government is prepared to take any steps in furtherance of the prayer of that Petition?

The CHANCELLOR of the EXCHEQUER: Sir, the attention of the Government has been called to this Petition; but it is one of a very extensive character, and it raises a large political question, and it will be impossible for me to give an Answer to the second part of the Question under these circumstances.

CRIMINAL LAW—BURGLARIES AND ROBBERIES (METROPOLIS).

QUESTION.

Mr. GREGORY asked the Secretary of State for the Home Department, Whether his attention has been directed to the number of burglaries and robberies from the person committed in the metropolitan district; and if he has considered whether any new arrangements of the police force should be made with a view of preventing such outrages and dealing with the large criminal population?

Mr. ASSHETON CROSS: Sir, my attention has, of course, been directed to this matter. I am happy to say that the members of one of the gangs of thieves who, no doubt, committed many of the burglaries are now undergoing various terms of penal servitude, and I hope that in the future a far less number of crimes will be committed. Some time ago I placed the Detective Force under the temporary command of a legal gentleman connected with the office; but now that the Commission has made its Report, I have felt justified in appointing a person of high qualifications to the head of the Detective Force in the metropolis. Under his direction, no doubt, very great improvements will be effected in the action of that Force. I may add that measures have been taken, which, I hope, will conduce towards bringing about a closer connection, as far as concerns the detection of crime, between the Metropolitan Police Force and the different Police Forces in the counties and boroughs throughout the Kingdom?

THE EASTERN QUESTION — RUSSIA AND TURKEY — THE TERMS OF PEACE.—QUESTION.

Sir CHARLES W. DILKE asked Mr. Chancellor of the Exchequer, Whether the terms of Peace agreed upon between Russia and Turkey include the extension of the Bulgarian Principality to the Ægean Sea at Kavala, across territories inhabited by the Greek race?

THE CHANCELLOR OF THE EXCHEQUER: Sir, we have not yet received any authentic or other communication of the terms of peace. Therefore, I am not able at the present moment to give any Answer to the Question.

THE VOTE OF CREDIT AND THE NAVY ESTIMATES.—QUESTION.

SIR JOHN HAY asked the First Lord of the Admiralty, Whether, before the introduction of the Navy Estimates, additional printed information will be laid upon the Table stating the manner in which any part of the Vote of Credit might have been spent; and, also, when the Navy Estimates will be brought forward?

MR. W. H. SMITH: Sir, I am afraid it will be impossible to lay on the Table any specific information as to the appropriation of the Vote of Credit before the Navy Estimates are taken. I hope to take the Estimates on Monday next.

ORDERS OF THE DAY.

* * *

FACTORIES AND WORKSHOPS BILL.

(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.*)

[BILL 3.] COMMITTEE.

[*Progress 1st March.*]

Bill *considered* in Committee.

(In the Committee.)

Schedule 1.

MR. PARNELL moved, in section 1, line 9, after "lead" to insert "or scutching flax." He explained that the object of the Amendment was to exclude children and young persons from being employed in scutching flax mills. When they were discussing the new clause proposed by the hon. Member for Downpatrick (Mr. Mulholland), and since added to the Bill, the Committee decided that they would except children and young persons from the operation of the clause, and apply the restrictions imposed by the clause to women only. He (Mr. Parnell) proposed, as an Amendment, that the hours of labour in a scutching mill should not exceed 12; but the Home Secretary practically admitted that it was not intended to have any inspection of these scutching mills, because it would require an army of Inspectors to carry the law into effect. Seeing that the mills in question were scattered throughout all parts of the country, and that many of them were in the rural districts, which were not visited by the Factory Inspectors, he thought there ought to be a limit to the period during which children and young persons should be employed. If the Government were unable to provide that the mills should be properly inspected, it would almost follow as a logical sequence that children and young persons should be excluded from employment in them altogether. He, therefore, moved this Amendment in the interests of the children and young persons affected; but he only did so upon the supposition that it was not proposed to provide an efficient inspection.

MR. ASSHETON CROSS hoped the Committee would not assent to the Amendment. Some time ago the Committee came to a resolution that they would not allow the Secretary of State to prohibit, of his own motion, children from working in any specific trade, on the ground that there ought to be a very strict inquiry before any attempt was made to limit labour of any sort or description. It was felt that if it was necessary to prevent children from working in particular mills, it ought only to be after full inquiry into the circumstances of the trade affected. So far as the question raised by the hon. Member was affected, it was investigated, although, perhaps, not thoroughly, and no recommendation was made by the Commissioners in the matter. Therefore, he did not think that the prohibition of the working of children and young persons should be objected to in this particular trade without every person connected with the trade being fully heard. The hon. Member had made a mistake in one matter. The clause inserted in the Bill the other day only affected those scutching mills where no children or young persons were employed; but, as far as regarded those in which children were employed, he would take care that the duty of inspection was properly performed.

Mr. PARNELL said, the right hon. Gentleman had omitted to state that the Royal Commission, in reporting upon the question, remarked that the tendency of the evidence was to show that scutching mills should be included in the operation of the Bill. He understood that the Home Secretary had only included them in deference to the evidence given before the Royal Commission. He included them in one part of the Bill; but subsequently, the right hon. Gentleman accepted the clause moved by the hon. Member for Downpatrick (Mr. Mulholland), which practically excluded them. If the right hon. Gentleman would give an assurance that he would provide an efficient inspection for all the scutching mills, he (Mr. Parnell) would be perfectly satisfied. It was only in consequence of the doubt which the Home Secretary threw upon the possibility of providing adequate inspection that he (Mr. Parnell) had been induced to propose the Amendment, and, with anything in the shape of an assurance from the right hon. Gentleman, he would withdraw it.

Mr. ASSHETON CROSS said, he would take care that scutching mills were inspected wherever children were employed.

Mr. PARNELL remarked that a child might be employed upon one day and withdrawn the next.

Mr. ASSHETON CROSS said, that where the owner of a mill did not employ children, he was bound to give notice to that effect.

Amendment, by leave, *withdrawn.*

Mr. PARNELL moved, in section 2, line 12, to leave out the word "female." The Home Secretary had already excluded children and young persons in mills where the heat was excessive, and the object of the Amendment was to exclude females entirely. Excessive heat was just as bad for a child and young person, whether boys or girls.

Mr. ASSHETON CROSS hoped the hon. Member would not press the Amendment. This part of the question was considered by the Commission, and the Bill had been drawn in conformity with their recommendations.

Amendment *negatived.*

Mr. Assheton Cross

Sir CHARLES FORSTER said, he had now to move the Amendment of which he had given Notice, in page 53, sub-section 3, to add—"(c) The making and finishing of chains and nails." The object of this Amendment was to place these trades in the same category with regard to the employment of female labour as the brick, tile, and salt trades, in which no girl under the age of 16 years was permitted to be employed. It would not be necessary for him to detain the Committee at any length; because he thought he might almost let the case rest upon what was stated in the Report of the Royal Commission. Let the Committee listen to the following description of Cradley Heath, in the black country, under the influence of this kind of labour, compiled from a local newspaper, and given on page 82 of Mr. Brewer's Report. The correspondent says—

> "'I was a stranger come out of curiosity to see the chain-making country.' 'And a bad place you've come to,' said an old woman. 'It's the worst country God ever made. The women do all the work, and the men nearly nothing.' 'But they work sometimes,' I ventured to remark. 'Yes, they do, sometimes,' was the reply, 'but they always spend all they earn, and more too.'"

The Report went on to describe a row of some four or five chain-makers' shops in close proximity to some very offensive cess-pools. The fires of these workshops were all going, and none but the women were at work. It must not be supposed, however, that the men were absent—not a bit of it. The lords of the creation were there in full force, but they were not working. They were amusing themselves with skylarking, and courting the girls who were hammering away at the chains. At the bottom of Cradley was a pool close to the high road, where he saw men bathing and running about naked. Chain shops were close at hand, and a small brickyard, with young girls at work there. He would ask what must be the moral condition of a district where such scenes took place? Then as to the sanitary aspect of the question, he thought it was impossible to read the Reports on the subject without coming to the conclusion that the health of young females must be seriously jeopardized by this kind of labour. They heard a good deal, in the evidence taken before the Royal Commission, of an instrument called an "oliver," used in welding the links of the chain, whose weight was in proportion to the size of the links, some being heavier and more laborious to work than others. The evidence described the "oliver" as shaking the lower parts of the body, and, therefore, dangerous to women in child-bearing, and also apt, from excessive vibration, to produce cancer in the heart; and yet instances were given of these instruments being used by women within a week of their confinement. Was it, then, too much to ask that in trades requiring such an instrument, the labour of young females should be restricted in the manner which he proposed? But here the Committee must not lose sight of a most important consideration—namely, the deteriorating effect of this system upon the future population, for when these young females became mothers the danger was that they would give birth to an enfeebled and dwarfed progeny. But if, on moral and sanitary grounds, this labour was objectionable, it was not less so from an educational standpoint. The Committee would at once understand that so long as young girls were permitted to do the work of men at so early an age, the value of their work was a perpetual temptation to parents to keep their children from school by every kind of misrepresentation; and to this cause was to be attributed the great extension of the half-time system, which had so seriously interfered with the successful operation of the Elementary Education Act. Not to weary the Committee with too many extracts from the Reports on the subject, let him allude briefly to some two or three, which bore out strongly this argument. Mr. Brewer said—

> "There are hundreds of children who evade the law, some by waiting for his coming, others by false representations as to age, while others prefer the risk of being found out."

Mr. Abel, master of the Catshill school said—

> "Trade being very good, many children are taken away, almost from nursing, and put to the nail block. By far the greater part of these children have never attended a day school."

Mr. Hutchinson, the schoolmaster at Dudley Woods, a great seat of the nail trade, went still further, and said—

> "I find the children attending, under the Act, very much below the average in proficiency; dull in intellect, and slow in comprehension, which I attribute to the neglect of parents, who have placed every obstacle in the way of carrying out the Act."

Commenting on this evidence, Mr. Brewer said—

> "The remarks of Mr. Hutchinson are only too true. Most employers and parents send their children to school in the afternoon. They work them all the morning till dinner time. That meal over, then follows school from 2 till 4, and then the poor little wretches are set to work again till 8."

What reply could be made to facts like these? He sincerely hoped that the Committee would be of opinion that he had made out a case for placing a moderate restriction upon female labour in the chain and nail trades. Before he sat down, he would remind his right hon. Friend the Home Secretary that he and his hon. Friend the Member for Sheffield (Mr. Mundella) had the honour of accompanying a deputation which waited upon him from the Parliamentary Committee of the Trades' Congress. They felt very much indebted to his right hon. Friend for the courtesy and attention with which he received them, and also for having met many points which they then urged upon him. But they had seen with very great regret that up to the present time no satisfactory solution of the question of female labour in these trades had been proposed. He trusted that the forbearance which they had hitherto shown might not be allowed to militate against the cause with which they were identified, and that his right hon. Friend would accept this Amendment, which he (Sir Charles Forster) believed was called for in the interest of the social and moral progress of these people.

Mr. ASSHETON CROSS said, that this was a question which apparently received a great deal of consideration at the hands of the Royal Commission. They went very fully into the matter and made a Report upon it. The hon. Baronet the Member for Walsall (Sir Charles Forster) seemed to think that the reasons for keeping in salt, bricks, and tiles, would equally apply to the present case. That was not quite so. If the hon. Baronet would refer to the Report of the Commissioners, he would find that they did not want girls to be employed on these matters; but, so far as this case was concerned, he had better read the paragraph with which the longish Report of the Commissioners on this subject ended; and, having done so, the Committee would see at once that upon that Report he could not possibly put into the Schedule the words now proposed by the hon. Baronet. The Commissioner said—

> "The real question to be decided is whether the work in which some few women are engaged in this district is so injurious to their health, or degrading to their moral condition, as to justify Parliament in prohibiting them from working. Mr. Brewer stated in evidence that he could not say from his own experience that women employed in this trade were more unhealthy than women in the same class of life employed in other trades; and a member of the deputation of working men told us that he would sooner his daughter worked in the chain shop than 50 brickyards, as there was not a 'decenter' trade on record for females than that of small chain making."

Then the hon. Member spoke of the weight of the chains; but he would see that that question was before the Commission also. They said—

> "We are of opinion that the labour incident to the making of heavy nails and chains is too hard for women to undertake. But all the witnesses coincided in this opinion, though they did not agree as to the desirability of prohibiting the labour of adult women."

And then they went on to say—

> "After most careful consideration, we are unable to suggest a line defining the class of work which women shall be permitted to undertake, and we would sooner trust to their own good sense not to seek to do work too laborious for them, and to the feeling in the district against their being so employed, than to a prohibitory Act which may work a hardship."

He thought that, undoubtedly, that would be the case. He believed that the Royal Commission came to a wise conclusion, and, therefore, he had left out these matters.

Mr. PARNELL pointed out that the Amendment of the hon. Baronet had reference to the employment of girls under the age of 16 years; whereas he thought that the extract from the Report of the Royal Commission which the right hon. Gentleman had read referred to women.

Lord FREDERICK CAVENDISH said, that if the Committee prohibited the employment of girls under the age of 16, they would do very much, indeed, to discourage female labour.

Amendment *negatived.*

Mr. Assheton Cross

Mr. MUNDELLA moved, in page 53, section 4, sub-section (a), line 21, before "metal" to insert "dry." The clause, as it stood, would prohibit all children from being employed in metal grinding, while the intention of the Royal Commission was to exclude dry grinding, by which the health of children was affected. There was no objection at all to children being employed in wet grinding. The Amendment which he proposed would necessitate a slight alteration in the next clause, so as to bring the children employed in wet grinding under the restriction as to age.

Mr. ASSHETON CROSS said, he had no objection to the Amendment, provided words were inserted in the next clause, to the effect that children should not be employed under 11 years of age.

Mr. HERMON pointed out that it was not at all clear what was exactly meant by dry grinding.

Mr. ASSHETON CROSS apprehended that in cases where the wheel was kept so wet that the air was quite free from dust children might be employed.

Mr. MUNTZ trusted that the Home Secretary would not give way in this matter. This was one of the most deadly trades in which children could be employed.

Mr. ASSHETON CROSS suggested to the hon. Member for Sheffield (Mr. Mundella) that he should withdraw his Amendment for the present, and see before the Report whether it could not be put in such a form as to make it quite clear that where there was no dust a child might be employed, and that probably would satisfy the House.

Mr. MUNDELLA urged that the intention of the Bill was that in dry grinding children should be excluded, but wet grinding was altogether a different work.

Mr. ASSHETON CROSS remarked that the objection raised by his hon. Friend (Mr. Hermon) was that it was not quite clear what dry grinding was; and if the hon. Member for Sheffield would put the matter off till the Report, he (Mr. Cross) would, in the meanwhile, consult with him.

Mr. MUNDELLA said, that it was well known that dry grinding was where no water or oil was used. He was, however, quite willing to put the matter off.

Amendment, by leave, *withdrawn.*

MR. PARNELL said, that after the decision that had been arrived at, he could not hope that the Committee would accept his proposal to limit the hours of labour of young persons employed in this particular class of mill labour. He should, therefore, withdraw the further Amendment to the Schedule standing in his name.

Amendment, by leave, *withdrawn.*

MR. PARNELL pointed out that section 5 of the Schedule limited the operation of fustian cutting to children under 11 years of age. This was exceedingly heavy work, and he had searched the Report of the Commissioners in vain for any indication of their views on the subject. He did not know how the age had been fixed upon; but he, for one, wished the children to have the full benefit of the legislation, and he should, therefore, have liked, if it had been possible, to see the section extended.

MR. MUNDELLA said, that in order to bring the question before the Committee, he would move the omission of the words "under the age of 11."

MR. ASSHETON CROSS said, this particular trade had already occupied the attention of the Committee, and two special Acts of Parliament had been passed dealing with it. The age of 11 was fixed upon after considerable discussion, and after lengthened special inquiries had been made concerning it. The age of 11 was fixed on several grounds, one of which was that a considerable amount of "knack" was necessary for it, and it was advisable that children and young persons should acquire that knack as early in life as possible.

Amendment, by leave, *withdrawn.*

Schedule *agreed to.*

Schedule 2.

MR. WHEELHOUSE moved, in page 54, after sub-section 4, to insert sub-sections 5 and 6, as follows:—

"(5.) In the case of bricks and tiles (not being ornamental bricks or tiles) to any part where the like materials are used, as are employed in the processes of dipping and scouring, or to any place where blue bricks, tiles, or other earthenware in which swarf, breeze, ironstone, or other minerals are used in the process of sifting or manufacture.

"(6.) In the case of sheds, kilns, or other workplaces where the temperature exceeds 85 degrees (Fahrenheit)."

The children engaged in brickmaking—one of the most arduous occupations to which children could be put—were very liable, unless some restrictive system was adopted, to be overworked. There could be no doubt that consumption and almost every other disease of the respiratory organs was aggravated, if not actually caused, by the materials now used in making and glazing bricks; and that children engaged in the manufacture were, in many cases, seriously injured by being compelled to wheel and carry heavy weights of clay and bricks in open, unsheltered brickfields. No one could desire more strongly than he did to see the Bill pass through the House; but, at the same time, he fully saw the necessity of doing more than the Bill actually proposed for the protection of children and young persons employed in this and kindred occupations.

MR. ASSHETON CROSS said, he quite sympathized with the object of the hon. and learned Gentleman who had moved the Amendment; but he could not quite agree to accept the mode by means of which he proposed to attain his object. In the first place, the clauses and Schedules were intended mainly to consolidate and embody the existing law, and great care was necessary, therefore, before any attempt was made in a Consolidating Bill to materially alter the law which it was intended to consolidate. He would remind the Committee that under Clause 39 of the Bill the Secretary of State had power to extend the provisions of the Schedule under discussion to similar circumstances occurring in other trades; and it would, therefore, only be necessary for the Secretary of State to be asked to exercise the power with which he was armed, in case it could be proved to him that such exercise was necessary or advisable. The question of blue bricks came before the Commissioners, but it was not found possible to draw a distinction which should depend merely upon the colour of the bricks made.

MR. WHEELHOUSE pointed out that the phrase "blue bricks," as he used it, had no necessary connection with the colour of the bricks made, and referred only to the nature of the deleterious materials used in that particular branch of the industry, distinguished by the name of "blue-brick making."

Mr. HEYGATE could see no reason why his right hon. Friend the Secretary of State, should refuse to accept the Amendment.

Mr. WHEELHOUSE said, he only wished the protection to which his Amendment pointed to be afforded, and he was not particular as to how the work was done. If it could be accomplished by means of Orders issued by the Secretary of State, under the 39th clause, he was content.

Mr. NEWDEGATE said, that knowing, as he did, something about the manufacture of bricks, he thought the matter was one which might with safety be left to the discretion of the Secretary of State.

Amendment, by leave, *withdrawn.*

Schedule *agreed to.*

Schedule 3.

Sir HENRY JACKSON moved, in page 58, line 27, after Part Six, to insert the following Part—

(Part Seven.)

"Continuous employment of children, young persons, and women for five hours in certain textile factories during the winter months, when the work does not begin until 8 a.m. and ends at 7 p.m.

"The exception respecting the continuous employment in certain textile factories during the winter months of children, young persons, and women, without an interval of at least half-an-hour for a meal, for the same period as in a non-textile factory, applies to textile factories solely used for—

"(*a.*) The making of elastic web; or
"(*b.*) The making of ribbon; or
"(*c.*) The making of trimming."

The hon. and learned Member said, this was for the purpose of giving effect to a new clause which was read the second time at the last sitting of the Committee. The exemption would only refer to certain light trades, which required a more careful manipulation of the fabrics than was consistent with the manipulators commencing work before breakfast on the cold mornings in winter.

Mr. NEWDEGATE said, he had made inquiries in the districts that would be affected by the proposed Amendments, and he found that the proposal was viewed with favour alike by employers and employed.

Mr. Wheelhouse

Mr. ASSHETON CROSS said, he had considered the matter carefully, and had determined to accede to the proposal of the hon. and learned Member for Coventry; but he could not grant the same condition to the heavier textile factories.

Mr. MUNDELLA was sorry that the relaxation had not been allowed to go further. He could see no harm in extending it to other textile trades in which the number of "half-timers" employed was small.

Amendment *agreed to.*

Mr. STANTON moved, in page 58, Part Seven, after sub-section (c), to add—

"or other textile factories, where the hours named in this Clause shall be adopted during the winter months."

He might say that great dissatisfaction was felt in many parts of the country, in consequence of the determination of the Government to relax the restriction in favour of one branch only of textile manufacturers.

Mr. ASSHETON CROSS could not accept the Amendment in the form in which it was proposed; but there was one way out of the difficulty—if difficulty it was—and that was that, although he could not accept the Amendment in its present shape, yet he freely admitted there might be special circumstances in particular parts of the country where the change proposed would be desirable; and if it was the wish of the Committee that power should rest in the Secretary of State to interfere where the health of women and children required it, he should be happy to consider the propriety of inserting a provision for that purpose, not in the Schedule, but in an ordinary clause.

Mr. MARLING was certain if the right hon. Gentleman could see the comfort which was derived by a family, where they were permitted to stay at home and take breakfast together, instead of turning out at 6 o'clock in the morning, he would be convinced of the utility of this proposal.

Mr. STANTON: After what the right hon. Gentleman has said, I shall be happy to withdraw my Amendment. I only wish to thank him for the way in which he has met my proposal.

Amendment, by leave, *withdrawn.*

MR. ISAAC said, that, in moving the next Amendment, he would ask the right hon. Gentleman the Home Secretary to introduce it into the Schedule of this Bill. The argument previously used would also apply to this Amendment. It was that the workpeople engaged in making hosiery should have the opportunity of taking a five hours' spell; and after the reasons which had been urged by the hon. Member for North Warwickshire (Mr. Newdegate), he thought the right hon. Gentleman the Home Secretary, having admitted previous Amendments, would not exclude this one. It was in the interests of the working people themselves, and it was on their application that he pressed it. He was bound to believe that on consideration the right hon. Gentleman would allow his words to be added after the words of the hon. and learned Baronet the Member for Coventry (Sir Henry Jackson). The words he proposed to add were, in page 58, Part Seven, after "trimming," insert "(d.) The making of hosiery."

MR. MUNDELLA, having been engaged in this industry as an employer, he might say for more than 30 years, was glad to observe that it had always been his practice during the winter months to write to the Chief Inspector of Factories for permission for his people to work between 8 o'clock in the morning and 7 in the evening. It was so much more comfortable to the women and children that they should go to their work after breakfast, and return home at 7 o'clock in the evening. They always looked forward to it as a great relief to them. Everyone must see what an advantage it was to have long hours of daylight. Some of the people lived two or three miles out, and before this change was made they had to get up at 5 o'clock in the morning to get to work at 6. When the breakfast hour came, they were too far away from home to go to their breakfast, and they had to take cold things. Therefore, it was in the interests of humanity to accept the Amendment; but he should be quite content to leave it to the Home Secretary to act when cases were brought under his notice.

MR. A. M'ARTHUR wished to add to what had been already said, an appeal from Leicester. It was said that on cold wet days it was extremely disagreeable to the workpeople to go to their labour at an early hour in the morning.

MR. ASSHETON CROSS: I suppose the hon. Member will be quite satisfied to leave this matter to the Secretary of State under the general power. I have agreed to put in a provision on this matter, and I promise the hon. Gentleman that it shall receive early attention.

Amendment, by leave, *withdrawn.*

Schedule, as amended, *agreed to.*

Schedule 4.

MR. ASSHETON CROSS said, that the 3rd paragraph on page 59 had, through a pure mistake of the draftsman, got into the first part of the Schedule instead of the second, and he (Mr. Cross) had been requested to get it altered.

Amendment *agreed to.*

MR. HIBBERT said, that as he did not the see hon. Member for Roscommon (the O'Conor Don) in his place, he would move the Amendment which stood in the hon. Member's name—namely, in page 61, line 1, leave out sub-section (24) "Public laundries." He did not think it was necessary to say much in favour of this proposal; and he understood that the right hon. Gentleman (Mr. Cross) was quite ready to omit the words. The general feeling of the Committee, he believed, was that whenever it was possible to leave an interest out of the Bill they ought to do so; and, therefore, he thought it unadvisable that public laundries should be brought under this Act.

LORD FREDERICK CAVENDISH did not rise for the purpose of opposing the Amendment, but he wished to state the reasons why the Royal Commission recommended that laundries should be included in the Bill. There were two reasons. One was that laundries connected with factories or workshops were subject to the Factory Acts. Secondly, he might say, that in London especially, the laundry trade was becoming more and more like a factory year by year, and in no occupation were longer hours kept.

MR. ASSHETON CROSS quite agreed that these reasons were very weighty, and therefore he had put laundries into the Bill; but full inquiry had convinced him that there were difficulties in the matter, which he did not see his way to get over. Those difficulties were not placed before the Commission, and he thought it better to leave the laundries alone.

Amendment *agreed to.*

Schedule, as amended, *agreed to.*

Schedule 5 *agreed to.*

Motion made, and Question proposed, "That the Schedule stand part of the Bill."

Mr. ASSHETON CROSS moved the following new Schedule:—

Fifth Schedule.
Special Exemptions.
(Light handicraft exempted when carried on in private house or room.)
Straw plaiting.
Pillow-lace making.
Glove making.

Mr. MUNDELLA, before this Schedule was added to the Bill, wished to ask the Home Secretary whether he was not making a great hole in his Bill when he excluded glove-making? Glove-making was carried on in the North as well as in the West of England, and it seemed to him that the right hon. Gentleman was making a great break in his Bill by this exclusion.

Schedule *agreed to.*

Motion made, and Question proposed, "That the Chairman report this Bill, as amended, to the House."

Sir HARCOURT JOHNSTONE, before this Motion was agreed to, wished to call the attention of the right hon. Gentleman the Home Secretary to the fact that, under the Local Government Board, female Inspectors had been appointed, as in the case of Mrs. Nassau Senior; and he would ask him whether it was possible under this Bill to appoint female Inspectors where it was absolutely necessary? There were many cases where the intelligence and tact of a woman might be of great service to employers and to those employed in factories; and he trusted that the right hon. Gentleman would be able, at all events, to determine whether he could or could not appoint women Inspectors instead of men in cases where there could be no doubt their services would be of considerable value.

Mr. GRAY asked permission to call the attention of the right hon. Gentleman to another matter congenial to the subject mentioned by the hon. Member who had just sat down. The majority of the people in some parts of Ireland were Catholic, and yet there was not, as he was informed, in all Ireland one single Catholic Inspector appointed under this Act. Nearly all the Inspectors were English, and nearly every one Protestant. Greater confidence would be given to the people if some Inspectors were appointed of their own religious persuasion.

Mr. ASSHETON CROSS said, he was not in the least aware of the fact. He had never inquired into what the religion of any Inspector was; he had always chosen those whom he thought were the best men. He would make inquiry; but he thought the matter of religion should be kept out, and they should endeavour to get the best man.

Mr. MUNDELLA remarked that there was a Catholic Inspector in Sheffield; no doubt he was appointed without any regard to his religion, so that Inspectors had been appointed quite irrespective of creed, and of all questions in the world he believed this was the one with which religion had the least to do.

Mr. PARNELL rose, and was proceeding to address the Committee, when——

The CHAIRMAN said: I may point out that this discussion is somewhat irregular. The hon. Baronet the Member for Scarborough (Sir Harcourt Johnstone) put a Question to the right hon. Gentleman the Home Secretary; but it will not be in Order to renew the debate. The Question is, "That I report this Bill, as amended, to the House."

Sir ANDREW LUSK: I think the right hon. Gentleman should answer the Question, whether he can hold out any hope for the appointment of female Inspectors?

Mr. ASSHETON CROSS: I understood the hon. Baronet to say that although he wished to put the Question to me, he distinctly stated that he did not want an answer. The matter really never flashed across my mind for one moment. Now that the hon. Baronet has brought it to my mind, it will receive the consideration due to all matters brought there. I was not aware that female Inspectors were appointed under the Poor Law.

Sir HARCOURT JOHNSTONE reminded the right hon. Gentleman of the case of Mrs. Nassau Senior.

Mr. PARNELL said, the matter was really rather different from what it appeared to those who said that it was of no consequence whether an Inspector was a Catholic or not. If hon. Gentlemen were more familiar with the circumstances that obtained in Ireland, they would see that it was desirable to inquire into the matter.

Mr. GRAY said, that if the hon. Member for Sheffield (Mr. Mundella) would look into the Report of the Commission on Primary Schools in Ireland, he would see there was some reason for this Question.

Bill *reported;* as amended, to be considered *To-morrow*, and to be *printed.* [Bill 126.]

COUNTY GOVERNMENT BILL.

(*Mr. Sclater-Booth, Mr. Assheton Cross, Mr. Chancellor of the Exchequer.*)

[BILL 93.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Sclater-Booth.*)

Mr. RYLANDS, in moving that this House will, upon this day six months, resolve itself into the said Committee, said: In moving the rejection of the Bill in its present stage, I am quite alive to the disadvantage in which I am placed in consequence of the second reading having been carried by a large majority. But I think it should be borne in mind that that large majority was accompanied by many expressions of disapproval of the main features of the Bill on both sides of the House. It almost seemed as though the Bill had no real friends, and even the parental affection displayed towards it by the author of its being was somewhat doubtful. There was also a large amount of objection urged against the Bill by the organs of public opinion. From every point of the political compass it was assailed with blasts of opposition, in the form of cold criticism from the Conservative Press, which dislikes all departures from the "time-honoured institutions" of the country, and, on the part of the Liberal Press, by warm denunciations of the objectionable and delusive character of the provisions of the Bill. It must also be borne in mind that the large majority in favour of the second reading of the Bill was secured under singular circumstances. My right hon. Friend the Member for Halifax (Mr. Stansfeld) proposed an Amendment on the second reading which attacked the vital parts of the Bill, and supported it in a speech which was delivered with his usual ability. In that speech he denounced the Bill in all its essential characteristics. Having presented to the House an Amendment which was decidedly hostile to the Bill, and having, in support of it, pointed out serious objections to the measure—notwithstanding that, at the last moment my right hon. Friend withdrew his Amendment, and the Opposition on the front bench went into the Lobby in favour of the second reading of the Bill. It strikes me that was a singular mode of proceeding on the part of the Leaders of the Opposition. I regretted their not having voted against the Bill. I think it was undesirable and unfortunate that this course should have been adopted; because, outside the House, the large majority in favour of the Bill rather confused public opinion, and a great many people out-of-doors would consider, no doubt, that the Bill was a much better Bill than it really was, and, in consequence, they would be misled. I think there was also another misfortune. My right hon. Friend, judging from his speech, imagined that, by voting for the second reading, he had secured, on the part of the President of the Local Government Board, a favourable consideration of the Amendments he proposed, which affected the entire character of the Bill. If it proves that the large majority in favour of the second reading induced the Government to give way in its main provisions, it would be an unusual result, and contrary to my anticipation. The right hon. Members on the front Opposition bench, who supported the second reading, by giving additional support to the Bill, rendered it less likely, rather than more likely, that the Government would yield any material point in the structure of the Bill. So far as I am concerned, I cannot allow myself to be committed by the course taken by my right hon. Friend on that occasion. I feel, even if I stand alone, that I must act in opposition to this Bill, very much in the same way and on the same grounds that I did last year in opposing the Prisons Bill. I am most anxious in every way to extend and uphold the rights of local administration, and I am also most anxious to see some means of checking centralization, which is increasing to so great an extent in this country. We hear constantly in this House complaints about centralization, and these complaints are not confined to the Members who sit on this side of the House. Were it practicable to put a Resolution on the Paper to the effect that, in the opinion of this House, "centralization had increased, is increasing, and ought to be diminished," I think such a Resolution would be supported by a considerable number of Members upon both sides of the House. I want to know what this House is doing to check what we all feel to be an evil and a great danger arising out of the increase of centralization. I venture to say we are doing nothing; and, so far from that, we are increasing the central power, because every year the ratepayers come to this House clamouring for some Government subsidy, and hon. Gentlemen who represent these ratepayers are ready to barter their rights and privileges of local administration in return for grants from the public purse in aid of local rates, which are only a temporary and an illusory mode of relief. Where are we to look for some barrier against the tendency of the central bureaucracy to usurp more and more of the local authority? We certainly cannot look to the county magistrates to check this power. Last Session the county magistrates sold for a mere "mess of pottage" some of their official rights. As to the Boards of Guardians, one cannot suppose them to form a barrier against the acts of centralization; for, owing to our legislation, we have reduced Boards of Guardians to a pitiable state of subserviency under the Local Government Board. I recollect that my hon. Friend the Member for South Norfolk (Mr. Clare Read), in the speech he delivered last Session on county administration, gave an amusing instance of the Board of Guardians to which he belongs, having proposed an expenditure of about 20*s.* for an object of undoubted utility; but they had to go to the Local Government Board for authority to expend the money, and after three weeks' delay in the "circumlocution office," the authority requested was refused. I say, then, that Boards of Guardians, as at present constituted, form no barrier against this centralization. I go further, and say that if you establish county boards on the basis proposed, you will have no authority of weight or influence, and it will not be a barrier against centralization. The more I go into the subject, the more I regret that Her Majesty's Government have not taken a bold and comprehensive course in dealing with this important question. Her Majesty's Government are perfectly consistent, and I do not complain of this Bill as a charge against the Government—they have entirely acted up to their promise of last year in response to the Motion of the hon. Member for South Norfolk. They have, as I say, been consistent; and no one can be surprised that they, having grudgingly accepted the Resolution of last year, and having been driven, so to speak, to come forward with a measure of county administration, should have made it as limited in its operation as possible, as weak in its detail, and—as the President of the Local Government Board had called it—as "quarter-sessional" in its character as possible. [Mr. SCLATER-BOOTH said, he had never stated anything of the kind.] The right hon. Gentleman had said it might be considered of a "quarter-sessional" character, and he was quite correct when he said so. We are told that we ought to look at this matter free from Party or political considerations; but I cannot see how we can discuss a question of this kind without its having a political bearing. The great Liberal Party to which I belong have always been in favour of popular enfranchisement; and it is entirely inconsistent in right hon. Gentlemen sitting on the Opposition bench to support a measure so completely deficient in the principle of popular representation. One of the arguments urged to justify this Bill is, that it is a step in the right direction. I venture to say that that is entirely a mistake, and from our point of view it is a step in the wrong direction—it is a step backward; and, in point of fact, if any dissatisfaction were expressed hereafter as to the absence of popular representation in county boards, we should be at once met with this new board, which would stand in the way of county reform. I think we ought to consider what we want to do by establishing county boards. If the present system was so bad, so objectionable, so full of abuse, that it was intolerable—then we might say, let us have a change, and that any change would be for the better; but the present system is not so full of abuse, and no one complains of it that it is bad, either economically or otherwise. I have no hesitation in bearing testimony to the full conviction that the county magistrates have fulfilled their duties in a manner highly creditable to themselves and with advantage to the country. There may be differences in the various counties, but as a rule they do their work well. In the county to which I belong the magistrates are distinguished for their ability, and exercise their duties with a great amount of zeal and efficiency. As a magistrate myself, I can say that county business has been conducted with great economy and ability. If this is the case, why wish to change it? Well, Sir, in the debate my hon. and learned Friend—who is now sitting in his proper seat on the Conservative side of the House—the Member for Wexford (Sir George Bowyer) said that the demand for county government is a sentimental grievance; but I venture to tell the hon. and learned Baronet that sentimental feelings are really very powerful, and lie at the root of many popular movements which no wise statesman can disregard. It will, in fact, be found that important principles generally lie at the base of popular sentiments. In this case, the public sentiment is closely connected with those principles upon which rest the greatness of this country and the institutions of which we are all most proud. The people of England desire to govern themselves, or through their chosen Representatives. Their maxim is that taxation and representation should go together. They cannot justify government without representation. It is no answer to say the business of the county is well administered and economically conducted. The same argument might justify a despotism and sap the springs of our civil liberties and political life. The county board, in accordance with the genius of the English character, should fairly represent the county ratepayers. The magistrates in no sense represent the county ratepayers. They are nominally appointed by the Queen; but, in a great many instances, they owe their appointment to political subserviency. I know counties in which the political partizanship of the Lord Lieutenant has become a public scandal; and I say that if that continues—if Lords Lieutenant are allowed to keep out fit and suitable men with a view to gratify political partizanship—then the time has come when this House, in the public interest, and in the public right, should deal with the question, and say whether the power of Lords Lieutenant ought not to be altered or their power taken away. The appointment of these magistrates being tainted at its very source, in consequence of political influence, it is not surprising that dissatisfaction should be expressed, that important county business should be entrusted to men over whose appointment the ratepayers have no control whatever. Such an administrative body is a political anachronism. I received a letter a short time ago from a very active county magistrate, in which that gentleman said that he considered the Bill included every possible fault. The right hon. Gentleman the Member for Halifax did not go tot hat extent; but he pointed out that it contained in all its vital provisions very serious errors. With regard to the petty sessional unit, I think it is quite unnecessary to follow the right hon. Gentleman in a matter of that kind; but it seems to me his arguments were perfectly conclusive, and that the position taken by the Government was open to the most serious objection. Upon that matter I venture to say that the right hon. Gentleman the President of the Local Government Board wants more time to built his superstructure on a better foundation, and this is an essential condition before a great many evils can be removed. Then there is the question of the proportion of the justices. The arrangements of the Bill are that practically you include in the county board a large body of magistrates simply under another name. You not only have the magistrates elected by petty sessions, but also many of them would be elected by the Board of Guardians. I believe somebody suggested that the magistrates should be excluded from election by the Board of Guardians. I think that would be most objectionable, as there can be no reason why justices of the peace as such should be excluded; and if my desires were carried out, and we had a popular system of representation of the county, I think a large number of magistrates would find their way to the county board. In addition to its faulty constitution, the board is restricted in its operation, and one of the most important parts of county administration is excluded—namely, the management of the police. Why is that excluded? By leaving out the police you leave out the main item of county expenditure, and reduce the expenditure over which the board will have control to a fraction. It appears to me there is no reason at all why you should restrict their operations. I venture to submit that the two great principles we should aim at in the reform of the county management are these. We ought to give the widest possible interest among the ratepayers in the selection of the members of the county board, and, having got a wide basis of popular representation, I think we ought to give to that county board the greatest possible responsibility in the administration, as far as practicable, of the affairs of the county. We ought to give that board the whole of the county business to do, and place it as far as possible in relation to the county in the same position as a municipal council occupies in relation to the borough. I think by having county boards resting on this wide basis, we might fairly hope to check the system of centralization spreading amongst us, and also from time to time be able to decentralize and impose upon the county board additional duties and additional responsibilities. I have only a few more words to say which have reference to the objections urged against a system of direct representation of county ratepayers. The first objection is that there would be a considerable cost in the election of members of the board. The right hon. Gentleman pointed out that at the present time in the election of Boards of Guardians there were very few contests, and seemed to think that was evidence of a satisfactory arrangement in the constitution of an administrative body. I am not prepared to agree with the right hon. Gentleman, and do not think the mere fact of there being no contests is at all evidence that the system works satisfactorily. The carelessness about the public interest involved in the election may sometimes be the reason why no interest is shown in the Board of Guardians, in addition to which they feel they are hampered by the central body. The other objection is the fear of political action. Now, I must say I cannot sympathize with hon. Gentlemen who are afraid of political action. What we want is to stir the dull level uniformity of the rural districts, where there is not the same amount of intellectual life as in towns; and if we can get the people to take an interest in their own affairs, we are giving them political education and training them for political action on a larger scale. It is, I think, a great mistake to seek to withdraw from the people of this country the means of active interest in public life. In fact, to the interest that the people take in their local administration is due, in a great measure, the progress of the country. The true Conservative policy is to throw open, by means of popularly-elected county boards, a new opportunity for the exercise of public rights and the fulfilment of public duties by the inhabitants of our rural parishes; and, by so doing, we shall make the people more fitted to take part in the working of our institutions, and make them value more highly the institutions under which we live. The hon. Member concluded by moving the rejection of the Bill.

Lord RANDOLPH CHURCHILL, in seconding the Motion, said, he opposed the Bill on grounds entirely different from those just advanced, believing that it ought not to have been brought forward at all. It was with extreme regret that he opposed the Government on the most important Bill of the Session, and nothing but the deepest conviction would impel him to take that course. He did not speak on the second reading, because he was anxious to hear the views of more experienced Members on that side of the House, and to ascertain whether there remained any Members of the Tory Party who had objections to raise to the essential principle of the Bill. Apparently, there were none—at least, none who spoke, for those who spoke discussed the Bill on its merits and on its details. The question did not attract the attention it would have done in calmer times, owing, probably, to the absorbing character of the Eastern Question; and, if that did not settle itself soon, he feared domestic legislation was likely to be rather more mischievous than usual. He was anxious to draw the attention of the Tory Party, before it was too late, to the real principles and character of the Bill. He was justified in prolonging the discussion by the remarkable manœuvres of the Government last Session on the Motion of the hon. Member for South Norfolk. He and others viewed those manœuvres with regret; but he had never thought that a pledge so lightly given would be so hastily acted upon. The Bill proposed a complete revolution in government. It proceeded on the essentially democratic principle that taxation and representation should everywhere exactly coincide, and that a man who paid 1*s.* of taxation had as much right to share in its administration as the man who paid £2,000 or £3,000. This principle had never yet been carried to such a length by the Tory Party. He could not forbear glancing at the principles which had guided the legislation of the Government during the last four years. He had gained the confidence of his constituency in 1874 on the cry of "Defence of our old institutions"—by which the masses enfranchised in 1867 meant beer and the Bible, but others more profound understood the Church, the House of Lords, the rights of property, the sanctity of the wills of pious founders, the law of entail, &c.; and certainly in that programme he should have expected to find county government by quarter sessions. In the first Session of this Parliament a serious blow was given to the Church. As for the House of Lords, the arguments in support of its abolition would be very analogous to those advanced in favour of this Bill for abolishing quarter sessions. Both institutions were of great antiquity, both were anomalous in their constitution, neither were in the technical meaning of the word Representative, both imposed burdens on the people, both contained Members who were not altogether fitted for their duties; yet both, on the whole, worked well, and had gained a strong hold of the confidence of the people. He threw this out as a suggestion, in order that if the Government, for want of something better to do, felt inclined in a Session or two to bring in a Bill to abolish the House of Lords, it might know exactly what arguments to bring forward in its support. As for the rights of property, they had already received a severe blow when the Agricultural Holdings Act declared that the tenant had a right in the soil, which right had to be bought out before he could be disturbed in his possession of the soil. In the Universities Bill of last Session, they sent the pious founder to the right-about in such a way that nobody would ever be insane enough to hold him up for veneration again. Now they had this Bill, which proposed to effect a complete revolution in county government. It abolished one of their most ancient institutions, it attacked the rights of property, it undermined the independence of local self-government, and could only be regarded as a step along the road to the appointment of stipendiary magistrates all over the country. The hon. Member for South Norfolk (Mr. Clare Read) last year had said very little was known about county government before William IV.; but the most elementary student of Constitutional History could trace quarter sessions to the time of Edward III. Ever since the time of Elizabeth down to the present day their authority had been extended; and it was reserved for the present Government—a Tory Government—to diminish their power by the Prisons Act of last year, and to extinguish them altogether this Session. Nobody denied that quarter sessions worked extremely well, and there was not a shadow of a shade of a demand for a change. It was brought in in obedience to two Members of the House—the hon. Member for South Norfolk (Mr. Clare Read) and the hon. Member for South Leicestershire (Mr. Pell)—who, it was generally supposed, represented the tenant-farmers of the country; but it was an assertion which, if brought to their notice, they would be the first to disclaim—the fact being that they represented nothing but their own constituents and two or three chattering Chambers of Agriculture. He had said that the Bill attacked the rights of property and would prove it. The magistrates in the commission of the peace comprised the great majority of the landowners of this country, who, as they paid by far the greater proportion of county rates, had the greatest possible interest in managing county affairs with every economy. This Bill took the management of county affairs completely out of their hands. The landowners, in fact, were placed by this Bill in a much worse position than if the elections to the new county board had been made directly by the ratepayers. Then, their position, experience, and influence would have secured their return; but now, the Boards of Guardians would return tenant-farmers and tradesmen; the magistrates, of course, magistrates—with the result that there would be on each board two opposing camps, each suspecting the other, which would lead to great divisions, unsound compromises, and, he feared, great extravagance. The hon. Member for South Norfolk on this latter point had admitted that they would have no more economy than at present, and that he never knew an elected body that did not spend money freely. This, he further said, was the reason why the Bill was not popular with the ratepayers. The other day he happened to read in a newspaper a little paragraph giving an account of a meeting held to consider this Bill. the newspaper said, "Mr. Rodwell was present at the meeting of the Cambridgeshire Chamber of Agriculture when the County Boards Bill was discussed and condemned on all hands. Mr. Rodwell defended the principle of the Bill." It was quite true, as the hon. Member for South Norfolk said, that this Bill was not popular with the ratepayers. It would either lead to the retirement of the county gentlemen altogether from county affairs, or it would lead to further agitation. If the county gentlemen were continually out-voted, of course they would give up the struggle; and if, on the other hand, the ratepayers were out-voted, it would lead to further discontent and agitation and renewed legislative efforts. He would like to give an illustration of the manner in which this Bill would attack the rights of property. Let the House suppose another outbreak of cattle plague, and just imagine the compensation the delegates of the Boards of Guardians would endeavour to award each other; for it should be remembered that compensation claims fell almost entirely on the landowners. He was unable to find words in which properly to characterize this measure. He had ransacked his whole arsenal of contemptuous and denunciatory epithets, and could find nothing by which he could adequately express his estimation or his want of estimation of it. He could only say that it appeared to him to be just the sort of little dodge and contrivance that would be proposed by a President of the Local Government Board who found himself called upon to legislate on a great question. The reason for bringing in this Bill was said to be that county expenditure had now become so heavy and complicated that it must for the future be administered by a representative elective board.

Mr. SCLATER-BOOTH: No. I said precisely the reverse, that county expenditure had diminished in the hands of the magistrates.

Lord RANDOLPH CHURCHILL: Well, the right hon. Gentleman would presently have an opportunity of extinguishing him, as he had already extinguished quarter sessions. If the magistrates as magistrates had no right to manage county affairs, how could they have a right as members of the county board, *quâ* magistrates? Again, to let Guardians elected to manage the affairs of a Union elect members to manage the affairs of a county, was like letting a town council elect Members of Parliament. Even the hon. Member for Birmingham (Mr. Chamberlain), who had the greatest respect for the town council of Birmingham—and brought them into every debate in that House—would not carry his adoration of town councils so far as that. The right hon. Gentleman could not escape from this dilemma. Either the magistrates had the right or they had not the right to manage county affairs. But it was impossible for them to have half a right. But the Bill in its principles abolished the right; yet the Bill put a quantity of magistrates on the new board. It was alleged that the present system of county government was anomalous. Granted that it was so, it had at any rate a prescription of five centuries; but it was now proposed to establish something far more anomalous, which would not have a prescription of five centuries. It was easy in the present day to destroy anomalies; but he defied the Tory Party, with all their majority, to set up anomalies in the place of those which they destroyed, which should have more than an ephemeral existence. The institutions which they set up, if they were to be permanent, must be fair and square and logical, and must stand the test of reason and understanding. He did not want to say anything disagreeable about the Bill, but it certainly was not what it pretended to be. The fact of the matter was that it was another of those futile attempts to which they were getting so accustomed—to make that impossible mixture of Radical principles and Conservative precautions. The Government excited hopes in the minds of the ratepayers that they were going to have an elective representative county board, and then proceeded to carry out that promise by manufacturing a board which would not represent the ratepayers more than they were now represented. It was one of those attempts to conciliate the masses by the concession of principles which were in favour with the masses, and which concessions were immediately nullified or minimized by the details of legislation. The Government thought the populace would be deceived, when really they themselves were the only dupes.

> "O infortunati nimium sua si mala nôrint."

Oh, if they could only know what a mess they would be in in a few years, and how their legislation would be improved upon before long by hon. Gentlemen opposite! The proposals of this Bill were so remarkable that he could not think they could have been considered by the Cabinet, whom he entirely absolved from responsibility for them. In the present state of Eastern affairs, the House knew that the Cabinet had had all their time taken up by considering how they could possibly get the Fleet into the Dardanelles; and now their whole time was taken up in considering how they could get the Fleet out of the Dardanelles; and, under these agitating circumstances, it would be highly unfair to hold them responsible for the legislative freaks of a minor Colleague. He had no objection to the President of the Local Government Board dealing with amendments to the Poor Law, or with sanitary questions, or with the regulation of the number and the salaries of inspectors of nuisances; but he entertained the strongest objection to the President of the Local Government Board coming down to the House with all the appearance of a great law-giver—to reform according to his ideas, and to improve, in his little way, the leading features of the British Constitution. He appealed to the Tory Party, in and out of the House, whether they were prepared to sacrifice an ancient institution, the origin of which was lost in time, which had grown with the nation's growth, which had survived the vicissitudes of revolution and reform, which possessed at the present day, in the highest degree, every element of vitality, and which still retained the diminished confidence of the people—were they prepared, on the invitation of the President of the Local Government Board, to barter away such an institution for such Brummagem trash as this Bill? But on Boards of Guardians and the like, elected principally, as they were, from the middle classes, the Imperial Government could and would exercise a great pressure. They would be awed by an expression of opinion from the Home Secretary or the President of the Local Government Board, especially if the latter, like the right hon. Gentleman, had two surnames. That, at the bottom of the most ordinary document, would terrify them out of their senses; and would suggest horrid visions of Government investigations, mandamuses, the Court of Queen's Bench, the Lord Chief Justice, and contempt of Court. He was sure that the more the standard of the composition of the county board was lowered, the more effectual and consistent would be Government interference. If hon. Members imagined the court of quarter sessions, in its judicial capacity, would continue to exist if this Bill passed they deceived themselves. It would be quite impossible that a body, so mutilated and degraded as it would be, should retain sufficiently the respect and authority which it now enjoyed. It was certain that the Bill was a step along the road to the establishment of a stipendiary magistracy, and he had no doubt that the Government were indulging in blissful dreams of a rich harvest of patronage all over the country. With regard to Lords Lieutenant, whom the hon. Member for Burnley had attacked, he believed they had performed their difficult duties with discretion and magnanimity. Such, then, was this Bill—this precious offspring of the President of the Local Government Board. It had been brought in in obedience to no outcry; it relied on no case of mismanagement or shortcoming. It passed his ability to say why this Bill had been brought in. It had been evolved out of the inner self-consciousness of the right hon. Gentleman; or perhaps he attributed to the hon. Member for South Norfolk and the hon. Member for South Leicestershire vast powers which they did not possess; or perhaps the Government, in a fit of good nature, had allowed the right hon. Gentleman to try his hand at legislation on a question which two right hon. Gentlemen opposite had utterly failed to legislate on. It was based, like the rest of recent Tory legislation, upon principles which were purely democratic, and was surrounded by a quantity of ridiculous checks and safeguards, which would be swept away like so many cobwebs by the new Radical broom when hon. Gentlemen opposite came into office, as he supposed they would some day or other. When that Millennium arrived, he could see in his mind's-eye the Orders of the Day running as follows:—"County Government Act Amendment Bill, Government Order; Agricultural Holdings Act Amendment Bill, also a Government Order; Universities (Oxford and Cambridge) Act Amendment Bill, also a Government Order;" and so on. He asked how those who, in the time of their power, had sacrificed their principles, could defend them with any hope of success when they were in Opposition? He had done for the present. He had no doubt that right hon. Gentlemen would answer these arguments with their usual ingenuity, and would persuade themselves and their Party that this was a Bill most Conservative in its instincts and its effects; no amount of ingenuity, however, even though it had all the authority of the Government, would persuade him that black was white. He had relieved himself; he had raised the last wail of the expiring Tory Party. They had undergone a good deal. They had swallowed an immense amount of nastiness. They had been terribly highly educated. Their banner had been dragged along many a muddy path; it had been slopped in many a filthy puddle, until it was so altered that no politician of the days of Peel or Canning could possibly recognize it. He should cry "No" when this Motion for going into Committee was put from the Chair; and if he could only get any appreciable support—he cared not whence it came, or from what motive it was given—he should be prepared to offer a sustained opposition to this most Radical and democratic measure—this crowning desertion of Tory principles, this supreme violation of political honesty.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Rylands,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question.

Mr. CHAMBERLAIN: Sir, I have an Amendment on the Paper which, I believe, it is not competent for me to take a division upon. It is—

> "In the opinion of this House, no reform of county government will be permanent or satisfactory which does not entrust the administration of the county business to a Board elected directly by household franchise."

As I shall not be permitted to take a division, I shall support the Amendment of my hon. Friend the Member for Burnley (Mr. Rylands). There are, of course, many objections which have been taken to the Bill before the House—most of them, such as the objections to the petty sessional area, and to the functions with which it is proposed to invest this new local authority, rather concern the administrative work of the board, than its practical constitution. But, with regard to this point, I do not propose to make any observation to-night; but I shall confine myself entirely to the points which would have been raised by my Amendment; and my object is to bring before the House, with reference to local affairs, precisely the same issues which a short time ago were raised by my hon. Friend the Member for the Border Boroughs (Mr. Trevelyan) with regard to Parliamentary representation. To hon. Gentlemen on the opposite side of the House who were unable to support my hon. Friend, but who believed that the change which they think to be undesirable, or at least premature, is inevitable, I would urge that it would be wise to pave the way by training those who are likely to be the electors of the future in connection with local affairs for the very duties which they may hereafter be called upon to perform. The right hon. Gentleman the Member for the University of London used a phrase which came into vogue some time after the Reform Bill in 1867, which was to the effect "that we ought to educate our masters." I think it would be wiser to educate our masters before, rather than after, they have received power which they are destined to obtain; and it seems to me that it would be a matter of Conservative statesmanship to prepare the way for this inevitable change by counterfeiting the political intelligence of the people, by educating them in civil affairs in connection with local government and local affairs. Upon the hon. Members who found themselves able to support my hon. Friend the Member for the Border Boroughs I think I may make a stronger claim. They will surely support the claim I am introducing to the House, unless they are prepared to say those persons to whom they are ready to confide the Imperial destiny of the Empire are unfit for the much less important work of local administration. They would have to show that in this matter, at all events, the greater does not include the less, and that men may be qualified for the higher duty of a citizen, and be called upon to perform that duty, and may yet be inapt and disqualified for the administration of local affairs or for taking a share in local government. I suppose that there can be no doubt as to the relative importance of Imperial and local affairs. It has been shown that the effect of the change in the Parliamentary system which has been advocated by my hon. Friend the Member for the Border Boroughs would be enormous, and that, at least, it was possible that the supreme influence in every constituency of the land might be placed in the hands of the poorest class of the constituents. For my own part, I have no fear of such a result, even if it should take place. I think that our experience of a wide franchise in the boroughs, and of every extension in the suffrage, has proved that we have no real cause for the alarm which some hon. Members, no doubt, honestly feel; and that there is no ground for the fear that some of them entertain of a vast combination of the poorer class of the community against the rich, by which the former would seek to provide for their own selfish interests to the detriment of the whole community. But I am bound to admit that experiment would be a very great one; and if we are really taking what was once called "a leap in the dark," we ought to have very much greater confidence in the justice of our conclusions before we take a step in which a mistake might be fatal to the security and welfare of the Empire than in a case like the present, where any error would only lead to more or less economical administration. It seems to me difficult to conceive the position of any hon. Member who could swallow the camel which was presented by my hon. Friend (Mr. Trevelyan), and strain at the very modest gnat in the proposition which I am putting before the House. I have heard an attempt to make a distinction between local government and Imperial legislation. It is said that Imperial legislation has to do with life and personal freedom as well as with property, and that it is legislative as well as administrative, while local government is administrative only; but I do not think, on reflection, that either of these distinctions can be sustained. We have to bear in mind, in the present instance, that the new board which we are creating will, as was said by the President of the Local Government Board, be entrusted with much larger and more various functions than it is likely to enjoy under this Bill. It will probably be a chief sanitary authority for the county, and will probably have some control over education. I see an Amendment on the Paper to give it the management of the police, and I cannot see why a privilege given to every petty borough in the country should be denied to the great authority in the county. It already has the control of business, and it is proposed to give it the election of an important judicial officer. Every one of these things, and many others that might be named, touch personal liberty and freedom directly or indirectly; and it appears to me that an agricultural labourer who will be under this county government board will be much more interested in its interference with his domestic affairs than he can be affected by Imperial legislation by the chance of the House of Parliament passing, for instance, a conscription, or in some other way interfering with his individual liberty. Then there is no local authority which is not invested with the power of making bye-laws which have the force of Acts of Parliament, and new powers are being continually given to authorities, and it is impossible to suppose that they will be denied to the county board. On the other hand, the Imperial Parliament has to deal with property to an extent that any local government which I can name bears no relation whatever. And this Imperial Parliament is administrative as well as legislative; because, acting through the Ministry, which is really only a Committee of the two Houses, it manages with considerable success the great Departments of State. I say, under these circumstances, it seems to me that the arguments which apply in favour of household suffrage in the counties with reference to Parliamentary representation equally apply to household suffrage for the election of county boards. I venture to appeal with some force to hon. Members on this side of the House who supported my hon. Friend the Member for the Border Boroughs (Mr. Trevelyan) to give me their assistance when I have the opportunity, at a subsequent stage, of taking a division on the Amendment which I have placed on the Paper. Now, I am desirous of urging my Amendment on the House, because it frankly accepts the principle of representation, which is, after all, the only serious ground upon which this Bill is based at all. It is quite true that the farmers, who seem to think that representation is a desirable thing in their own case, do not entertain a very high opinion of it when it is proposed to give it to their labourers; and if my hon. Friend the Member for the Border Boroughs wanted an additional argument for his proposition, I think he would find it in the fact that during the whole of the debate the interests of agricultural labourers have been persistently ignored. They have no Representative in the House. The interests of the farmers and the magistrates, and the rights of property, have always numerous and eloquent Representatives; but no one has had anything to say for the agricultural labourers, who have a direct interest, and ought to have a great share, in local government. But even the farmers, who are not prepared to extend the representation to the labourers, are nevertheless dissatisfied with this Bill, and are claiming that at least two-thirds of these boards shall be elective and representative. I would appeal to hon. Gentlemen opposite — to those especially who are interested in the influence of the magistracy—whether, if this concession is to be made, and the majority is given to the representative element, whether it would not be better to be generous at once, and more wise and more permanently satisfactory, to concede the whole point, and make the whole board representative? If hon. Members are not prepared to go so far as that, I hope that they will not accept the constitution that is proposed in this Bill. We find that the board suggested is a mere thing of shreds and patches. I remember hearing of a great physician, who was prescribing for a patient, and he said, half in joke—"I have put down a little of everything, in the hope that something or other will do you good." I can almost imagine the right hon. Gentleman proceeding upon that principle in forming this Bill. The representative principle, which is almost conspicuous by its absence, is diluted by the *ex-officio* elements filtered through intermediate bodies; it is impeded by voting papers, it is nullified by property qualification, and it is minimized by the system of plural voting. There is only one thing wanting to complete these numerous ingredients—almost as many as those which composed the witches' cauldron in *Macbeth*—and that is one which I have no doubt the hon. Member for Kerry (Mr. Blennerhassett) will be happy to supply, and then the broth will be complete. The only ingredient wanting is cumulative voting, or three-cornered representation, or some one or other of the numerous devices for securing the misrepresentation of majorities. I do not dispute for a moment that, curious as is the constitution of this board, it has been devised with the best intentions, and I am ready to accept the assurance of the right hon. Gentleman that his object was to secure the best possible governing body; but I beg respectfully to submit one or two reasons why I think he will fail in this object. Let me point out how curious a change has come over public opinion, or, at all events, opinion in this House, with reference to these matters during the last generation. In 1832, when the Reform Bill was passed, the principle of representation was, at all events, frankly and fully accepted up to a certain limit. Since that time there never has been any further extension of the franchise which has not been accompanied by some complicated system of checks and balances by which the principle of representation has been more or less infringed while its acceptance has been simulated. There are a great number of persons inside and outside of this House who seem to be very willing in theory to accept the principle of representation; but, after all, they do not feel any confidence in the people, in their common sense, their intelligence, or their patriotism, and strive to stem the tide of democracy by all these ingenious devices which the noble Lord the Member for Woodstock said would some day be swept away like a cobweb; but which, in the meantime, prevent us from obtaining the full advantage of representation, while they stimulate sectarianism and Party bigotry, and multiply the system of organism and caucus, and Party tickets, which Gentlemen opposite so honestly deprecate when it conduces to Liberal successes, but which I find Conservatives in the country are very ready to imitate when their own purposes can be served. I do not propose to defend now the system of organization which the hon. Member for West Gloucestershire (Mr. R. Plunkett) called rather unfairly the omnipotent caucus. Some day or another I may have an opportunity of saying something on that subject. But, assume it to be as bad as Gentlemen who are most opposed to it believe it to be, I want to point out that it is precisely this system that they are securing by these complicated checks. Look at double elections. The whole Party system in the United States is due to the existence of this system of double election in connection with the election of the President of the Senate and of many other officers. It is in consequence of that system that the strictest Party organization and discipline has to be maintained, in order to secure secondary electors pledged to Party ticket. This is not all. The same system leads to the prevalence of bribery and intimidation, because the more limited the constituency the more easy it is to bring pressure and intimidation to bear upon it. I think it is rather a singular thing that the nearest approach to the constitution of the new authority which the right hon. Gentleman is proposing to found is to be discovered in connection with the local institutions of the Empire of Russia. In Russia you have precisely this system of election—half by peasants and half by landlords—and also the system of double election. It would be interesting to know how far the corruption which prevails in local and public business in Russia may be traceable to these institutions, which I should have thought the right hon. Gentleman opposite would not have been anxious to introduce into this country. The object of the Government is no doubt to obtain the best possible governing body. I will quote an article on the subject in *The Times*.

> "It is better for the people to be indifferently ruled by itself than to be governed with scientific precision by a despot, or an oligarchy, or a club of cultivated men."

That is a truth very often forgotten by those on this side of the House as by Members of the Conservative Party. I quite agree with the noble Lord the Member for Woodstock (Lord Randolph Churchill) that the result of indirect election would be pregnant with disadvantage to the landed gentry. I believe that they will be prejudiced, in consequence of there being a strict line of demarcation between elected members, on the one hand, and *ex-officio* members on the other hand. If you devise a particular channel by which men may be elected to an office, they will be relegated to that channel alone. On the other hand, if country gentlemen avail themselves of the same channel of election, I am quite convinced they would have, as they deserve, the preference which would be due to their superior education, their local influence, their intelligence, and their knowledge of public affairs. It must not be thought we have any desire to exclude them from their just influence; but we wish that they should sit at the boards responsible to public opinion, and representative of public feeling, and not merely in the invidious position of *ex-officio* members forced into the board as representatives of land and property. I should have thought this a matter upon which extremes might meet, and that Conservatives and Radicals might unite to secure a system by which these gentlemen might preserve their influence, instead of the proposal made by the right hon. Gentleman, which is an attempt to secure for county magistrates reserved seats on the county boards. So long as the principle of direct representation is not acknowledged in the Bill, I have no alternative but to oppose its continued progress. It is a retrograde measure, and false to those principles which it has been the ambition of the Liberal Party to embody in legislation during the last half-century.

Mr. RODWELL said, that, after the full debate on the second reading, he thought the House might have been spared another discussion. The Bill had been received with great unanimity by a large majority of the Members of that House, and he wished to offer some reason why he thought its principle ought to be accepted. The objections which had been raised to the Bill resolved themselves into two questions. First, was it right to supersede the magistrates; and, secondly, was the board to be appointed in the manner proposed by the Bill, or by direct representation? With regard to the first point, he thought the noble Lord the Member for Woodstock (Lord Randolph Churchill), who dealt so lavishly in unfriendly criticisms on the Bill, had gone out of his way in studiously finding fault with the proposal of the Government, and the right hon. Gentleman the President of the Local Government Board in particular; but the noble Lord could hardly have given sufficient attention to the provisions of the measure. The Bill was not intended to supersede the justices at all, and it was rather remarkable that the hon. Member for Burnley (Mr. Rylands), after speaking so highly of the magistrates, should wish to get rid of their services. But the Bill did not propose to get rid of them. The duties of the board must be discharged by somebody. The Bill proposed to take that body which had so well deserved the confidence of the country and the Guardians, and to fuse their respective duties, and form a strong board, so as to ensure the satisfactory discharge of the duties which would devolve upon them; and he considered that a far better proposal than that recommended by the hon. Member for Birmingham (Mr. Chamberlain). He believed that the country would be satisfied with the constitution of the board, and that its members would discharge their duties well and effectually. Some hon. Gentlemen seemed to think that it would be a good thing if political agitation were introduced into every village, and that the election of members for county boards should afford an opportunity for the discussion of political matters. Now, he protested against any such use being made of the rural districts, and objected to their being exposed to the turmoil of contested elections. Those who knew the counties best were not in favour of a system of continued electioneering, which would revolutionize the rural districts. Extremes had met on this occasion in a remarkable way, for the noble Lord the Member for Woodstock and the hon. Member for Burnley opposed the Bill because they thought it would lead to centralization, and throw too much power into the hands of the Local Government Board. He (Mr. Rodwell), on the contrary, thought county boards would be a strong barrier against encroachments by the Local Government Board. Nobody could dread more than he did that the country should be Inspector-ridden; but he thought this measure, so far from producing that result, would furnish the best means of combating the evils dreaded by the two hon. Members. It was true, there was no excitement out-of-doors about this Bill; but a great many reflecting and rightly-judging men in the country thought that the time had come when this question should be dealt with; and, if the Chambers of Agriculture were to be taken as representing the opinions of the agriculturists of the country, it would be found that they were ready to accept this Bill, and they believed it would be extremely advantageous. With regard to the proportion of magistrates to be on the boards, and choice between Union and sessional areas, those were matters of detail, which could be discussed in the clauses. He might, however, say, in passing, that since he introduced a series of Amendments in the Valuation Bill, dealing with that subject, he had given it great attention; and he had found the difficulties in the way of Union areas to be almost insurmountable, as the hon. Member for East Gloucestershire (Mr. Yorke), who had some Amendments on the Paper, would find, if he tried, to carry out his ideas by putting them into legal phraseology. After all, they would, under either system, get the same class of men, both as electors and elected, and the balance of convenience was greatly in favour of petty sessional areas. He, therefore, trusted the House would, without further delay, consent to go into Committee on the Bill.

MR. BRISTOWE said, that, while he desired to see county boards established throughout the Kingdom, he did not approve of the lines upon which the present measure was drawn. It seemed to him that the Bill contained several provisions which were of a novel character in legislation, and which would not constitute good precedents for the future. One remarkable feature in connection with the present measure was that those who might be elected as Guardians of the poor were to have the power, not only of nominating gentlemen from among their own body to seats on the boards to be established under the Bill, but other gentlemen as well, provided they were qualified to be Guardians, thus giving a representative body the power to elect others to sit on a representative board. It had also surprised him that in a measure which proposed to constitute such boards it should have been thought necessary to divide the functions of quarter sessions into "judicial" and "administrative," and thus to set up a sort of dual government in connection with them, which might lead to considerable difficulty. But the Bill contained another feature to which he wished to draw particular attention. It was provided that, if any question arose as to whether any business was or was not within the jurisdiction of the county board, such question should be determined by one of Her Majesty's Secretaries of State, whose decision should be final. This, he contended, was giving to the Secretary of State legislative power such as he never before had. He thought the right hon. Gentleman the President of the Local Government Board would find a large crop of Amendments to deal with in Committee; and he doubted whether the Bill, as it now stood, would pass. It provided for the unsatisfactory novelty of indirect representation, and it was not at all the sort of Bill he should wish to see passed. He hoped the right hon. Gentleman would see his way, before they went into Committee, to announce his intention of relinquishing some of the more objectionable of its features.

COLONEL BRISE said, he desired to express his strong feeling that the Union was preferable to the petty sessional area. There were many inconveniences arising from the adoption of the latter, which, it seemed to him, the former was free from. The Guardians had already been entrusted with educational and sanitary administration, and with other works of immense importance; and he thought it was a slur upon them that they should not have the power of electing representatives to the county board. The Union business was the most highly important of any transacted in the county. He highly approved the proposal which the Bill contained to re-establish in some slight degree the turnpike system. He believed the old principle that those who used the roads should pay for them was the right one, and he did not think it should be given up altogether. There had been a great deal of unnecessary enthusiasm about the abolition of turnpikes. He hoped the right hon. Gentleman would be able to meet them in some way with regard to the area. He much preferred the Union, on account of its being in the Unions that the most important business in each county was transacted; but still, much as he appreciated the Union as the unit of area, he would rather give it up than not see the Bill pass.

MR. STORER said, he supported the Bill, because he thought it calculated to meet all the circumstances of the case. The country generally had received the Bill with satisfaction, and the difference of opinion which existed in regard to it was only on minor points. He thought opinion was about equally divided upon the question of the area. Some Chambers of Agriculture preferred the Union; others, like the one with which he was connected, the petty sessional division. In regard to the proposal of the hon. Member for Birmingham, he protested against the idea that the agricultural labourers were not represented in the House. He, as a county Member, should think he had disgraced his trust if he did not act just as much in the interests of the labourers as of their employers. He did not think a participation in the election of members of county boards would be any advantage to the agricultural labourers. With regard to the constitution of the boards, he thought it was only fair to have an equal proportion of magistrates and elected members; because, if a preponderance was given to the last-named class, they would practically have placed in their hands the power to inflict a permanent mortgage upon the estates of the landlords by means of the imposition of rates. The magistrates might also be out-voted by the elective element, in which case they would probably retire altogether from the management of county affairs.

Mr. HOPWOOD said, the tenant-farmers were about to be again bamboozled by the Bill. Could it be a matter of surprise that Gentlemen on this side of the House did not like the Bill? Its object was to delay an effectual remedy for the evils which were complained of; and it was, in fact, a mockery, a delusion, and a snare. The Game Laws and their prosecutions interposed an impassable gulf between the labourers and the magistracy. The country was much dissatisfied with the way in which magistrates were elected. One side was just as bad as another, for if they knew the politics of a Lord Lieutenant, they would know from which Party he would select his magistrates. The fact was, it was a political scandal. If county boards were to add a permanent check to the controlling influence of centralization, they must be chosen by a free and independent constituency. The clear object of the Bill was, while keeping to the ear the word of promise of reform, to break it to the hope.

Mr. CHAPLIN said, he could not support any of the Amendments which had been placed upon the Paper in reference to this measure. Hon. Members who had objected to the Bill had done so on grounds of a most various and conflicting character. The hon. Member for Burnley (Mr. Rylands) opposed the Bill because it did not go half far enough; while the noble Lord the Member for Woodstock (Lord Randolph Churchill) denounced it because it went too far. The speech of the hon. Member for Birmingham (Mr. Chamberlain) was distinguished by fairness and moderation of tone, and presented a singular and striking contrast to the speech of the noble Lord the Member for Woodstock. He was somewhat surprised at the speech of the noble Lord, and still more at its tone. The noble Lord spoke as if the feelings of virtuous indignation at the conduct which had been pursued by the Government were almost too great for him to bear; and, that being the case, it was with feelings of astonishment that he (Mr. Chaplin) remembered that on the second reading of this Bill, not three weeks ago, the noble Lord was content to sit silent and acquiesce without a word of protest on that occasion. If the noble Lord meant what he stated when he told the House that he was uttering the expiring wail of the Tory Party, because of the manner in which the banner of the Tory Party had been dragged through muddy paths—if the noble Lord believed that the Tory Party were pursuing a policy of surrendering their principles and opinions, and that by so doing they were acting in violation of political honesty, the noble Lord should lose not a moment in going over to the other side of the House. He, however, did not believe that the noble Lord did in reality entertain such feelings. He believed rather that he was indulging in practical joking, and was experimenting upon the feelings of the House, and therefore he need pay no further attention to what the noble Lord had said. He, however, agreed with the noble Lord in thinking that no real necessity had been shown for setting up these new county boards, and that the duties hitherto cast upon the magistrates in quarter sessions had been discharged in the most efficient manner. The Bill might be looked upon as creating—first, new county authorities; and, secondly, new duties and powers to be conferred upon those authorities. What he valued the measure for chiefly was the new duties and powers it proposed to create, which, in his judgment, would be quite as efficiently carried out by the existing as by the proposed new authorities. The reason he did not oppose the Bill on the ground that it proposed to create these new authorities was because he believed that the question had been finally settled by the decision of the House on the second reading of this Bill, and by its decision on the Motion of the hon. Member for South Norfolk last year. Believing, therefore, that we were to have these new county boards, he confessed he was more in favour of the

Government measure, as it stood, rather than as it would be, if altered in the way proposed by the hon. Gentleman opposite the Member for Birmingham (Mr. Chamberlain). The hon. Gentleman seemed to think that a household suffrage in counties was a matter of certainty within the next few years; but there were hon. Members in the House who held a different opinion, and he certainly considered that the form of representation for these county boards should not be placed on a basis of household suffrage till the principle was generally adopted with reference to Parliamentary Elections. He was, however, certain that a county board elected by household suffrage would be productive of so much confusion and turmoil, and would give rise to so much expense to the ratepayers, that they would be the very first to cry out against it. He trusted that Her Majesty's Government would strictly adhere to the mode of election proposed by the Bill, to their area of election, and to the proportion named in the measure between the magistrates and the other members of the county board. There were one or two other points, which, however, he thought had better be dealt with in Committee.

Mr. STANSFELD said, if he believed, and he should be sorry to do so, that the hon. Gentleman who had just sat down spoke the sentiments of Her Majesty's Government, he would be compelled to vote with the hon. Member for Birmingham. That hon. Gentleman had stated that, although he saw no reason for the measure, he was prepared to support it on two conditions—that Her Majesty's Government would adhere to the petty sessional division and the proportion of magistrates mentioned in the Bill.

Mr. CHAPLIN said, he only expressed a hope that they would adhere to those provisions.

Mr. STANSFELD said, he was not prepared to support the Bill if the Government did adhere to those provisions; but the Government had not said that they would do so. On the contrary, they had said that the questions referred to could be very fairly discussed in Committee, and the Government could deal with them after the discussion in the House. He would not be able to vote with the hon. Member for Burnley (Mr. Rylands), because it would not be consistent with the course he had already taken in reference to the Bill. He was of opinion that the Bill was an important one. It was the first step in the direction of local government reform for the counties, and he was not prepared to take the responsibility of rejecting the measure. What he proposed was in the shape of an Amendment on the second reading to propound in some sense a counter-view, and to reserve the right to carry that out in Amendments in Committee. Of those Amendments he had given Notice, and he desired to go into Committee to discuss them. The hon. Member for Burnley had said that in voting for the second reading of the Bill he (Mr. Stansfeld) had confused public opinion, and that it was inconsistent with his own criticisms on the clauses of the Bill. That was a fair argument; but he was not prepared to admit its justice or its accuracy. He had made certain objections to certain clauses—as to the area of election, advocating the Union as against the petty sessional district; and again, as to the number of magistrates to form part of the board; and he had been fairly met by his right hon. Friend the President of the Local Government Board. He understood his right hon. Friend to say that these were matters for the House to consider in Committee; and, further, that if a majority of the House from both sides of it expressed a strong opinion in reference to them, the Government might yield to that expression of opinion. They were questions which he intended to raise in Committee, and to take a division upon. He was sure that the magistrates would be in a better position if they were in a minority on the county board than if their number was equal to that of the elected members. In the latter case antagonism would be likely to arise as between the *ex-officio* and the elected element; while, in the former, the magistrates, from their leisure, education, wealth, and position, would, if they played their part, make their influence felt in the management of county affairs. The hon. Member for Burnley laid down two principles, and the first was that it was essential to enlist the widest possible interest of the ratepayers by a system of direct election. So far as that was concerned he was with him. The difficulty of expense might be met by having a simultaneous election for several boards. Popular election and popular representation would, he believed, strengthen county government. The second principle he laid down was that the county board ought to become the municipality of the county. He did not exactly agree on that point with the hon. Member for Burnley. The principle for which he contended was that the future county government should be built up on the administrative unit—that they should give to the smallest only those functions which they were competent to discharge, and confer more extensive powers on the larger areas. He held that the rural sanitary district was one that should continue, and should not be dispensed with. He desired that the county board of the future should be built up on the subordinate rural sanitary districts, and that it should be left to the future to determine what functions should be assigned to the county board and to the smaller districts. He should not dwell on the subject of direct representation; he attached as much value to it as his hon. Friends near him, but he thought it not unreasonable that a certain number of justices should be *ex-officio* members of the board at its first institution. He appealed to the right hon. Gentleman the President of the Local Government Board to be content, on the present occasion, with going into Committee and reporting Progress, seeing that two Returns had been laid upon the Table which had not been printed, and which were essential to the consideration of the Amendments of which he had given Notice. He thought the right hon. Gentleman would make the best progress by giving the House the fullest opportunity of discussing every clause and every Amendment.

Mr. FLOYER observed that, as a large majority of hon. Members approved of the principle of the Bill, he trusted the House would agree to the Motion that the Speaker leave the Chair. As he understood it, the gist of the Bill was that in consequence of the progress made by many classes of persons, they should be associated with the magistrates in the conduct of county business. The right hon. Gentleman had apparently dissented, not from the principle of the Bill, but from the way in which it was proposed to give it effect; and, in particular, he had taken another view of administrative areas and of the number of magistrates desirable. He did not participate in the fear which had been expressed that there would be a rivalry between the magistrates and the elected representatives of the county board. When a number of gentlemen were brought together to discuss administrative matters they would soon appreciate each other, and work together harmoniously. He thought it was of the greatest importance that the number of magistrates should not be reduced. It was admitted on all sides that they had conducted the county business with very great success, and they would be the only body on the board who had had any real practical experience of county matters. Some of the duties at present discharged by them were of a very difficult character, requiring large experience—such, for instance, as that of the management of lunatic asylums. Considering the size of the counties, and the great distances which the members of the county government board would have to travel, in order to serve upon committees at least once a month, he believed the effect of the proposed arrangement would be that the magistrates residing in the immediate neighbourhood of the county institutions would, for the most part, transact the business of those committees. He did not think that the number of magistrates who were to perform those duties should be cut down to so low a point as had been proposed, because if it were, it would be extremely difficult to get a sufficient number to transact the business. With regard to the Union being the electoral district for the choice of magistrates and guardians, he remembered that the Committee of 1873, over which the right hon. Gentleman opposite (Mr. Stansfeld) presided, and which had to consider the question of rectifying the boundaries of Unions and counties, took a great deal of evidence, but did not make a Report, because of the impossibility of coming to any conclusion on that subject. The right hon. Member opposite was strongly in favour of modifying the boundaries of Unions and counties; but he had not seen his way to carry that out. There were many counties in which more Unions sat astride—if he might so speak—of county boundaries than those which were entirely contained in the county. ["No!"] As his assertion was disputed he would quote a few figures in its support. In Bedford there were four Unions wholly in the county, and five Unions not wholly contained in the county; in Berkshire only four Unions contained in the county, while no less than 11 Unions passed into two counties. In Cambridge, a stronger case still, there were three Unions wholly contained in the county, while 11 passed into other counties. It was all very well to say that the Union was preferable as a unit; but the practical question was, how were they going to carry it out? It was a difficult matter when a Union passed into two counties; but it was still more so when it passed into three or more counties. In the former case, with two representatives, one might be given to each county; but, in the latter, they could not proportion the representation, as magistrates could not be divided into decimal fractions. The advantage of the plan proposed in the Bill was that it was practicable. The hon. Member for Burnley (Mr. Rylands) certainly was guilty of great inconsistency in his speech; for while he disparaged county magistrates, and certainly did not praise Lords Lieutenant, and said that to be the son of a lord was a passport to the magistracy, and drew a picture the reverse of complimentary, he wound up by affirming that this body, so badly appointed and so ill selected, conducted their business in a manner which was the admiration of the whole country. He (Mr. Floyer) supposed they became qualified by becoming magistrates, just as there were Members of that House who thought they became good Members by vigilance of small faults and by criticizing everything, although they probably before knew nothing about it. As an old magistrate, he regretted the necessity for the change proposed; but, at the same time, he could not shut his eyes to the fact that there had grown up in the counties an intelligent body of men who were fully competent to take part in the management of the county business. Those men were anxious to take their part in such management, and to devote their time and abilities for the purpose of assisting the magistrates in that business which it was admitted they had hitherto transacted so well. Looking at the political state of this country, it was wise—as far as could be done without danger—not to exclude any such body from any position or privilege. He, therefore, cordially supported the further progress of the Bill.

Mr. W. M. TORRENS said, this was a most disappointing discussion. Hon. Members had come to the House to have a measure of great importance explained to them, and to be encouraged to adapt old institutions to the necessities of the time like practical and reasonable men. He could say, without the slightest affectation on his part, and he believed he could say the same for many on the Opposition side of the House, that the last thing they desired was to see the country gentlemen of England displaced from their natural position of taking part in the local government of the country. With the exception of the two sets of right hon. Gentlemen who had performed a political minuet upon this occasion, he did not know of anyone who was thoroughly satisfied with the position in which the House now stood regarding this Bill. It was a miserable Bill. It was a pitiable Bill. After all the alluring and enticing held out by the right hon. Gentleman the ex-President of the Local Government Board to his successor, to do something vigorous and good, they had the veriest minimum of reform, with the disheartening assurance that nothing further was intended. It was a perfect delusion to say to those on that side of the House—the Opposition—who were not in the secret, that any pledge whatever had been given by the right hon. Gentleman opposite that he would adopt any of the suggestions which, as Amendments, had been thrown out. Not one of them, as far as he knew, was yet accepted; and if they agreed to read the Bill a second time, it would go into Committee with all its present sins of infirmity upon its head just as they were now. The debate reminded him of the famous story of the late Lord Grey, who, when he was raised to the Upper House, said it was like discussing questions in a chamber of the dead—and certainly some very curious spectres had been raised to-night. One hon. Gentleman opposite gave as his reason for supporting the Bill that he expected that it would "restore turnpikes." [*Laughter.*] That was the very ritualism of local government—the very acme of exploded and objectionable measures which they expected they had got rid of for ever. It was, however, too serious a matter for levity. His reason for asking the attention of the House for a few moments to-night was not because he differed from the extraordinary position laid down by the right hon. Member for Halifax (Mr. Stansfeld) as to the great object of local government reform, or to debate the after-thoughts of hon. Gentlemen opposite, who would vote for their Friends' Bill when in their hearts they did not like it. His object was a different one. He entreated the attention of the House—not the two Front Benches, for they were, perhaps, impenetrable to unofficial views—but of every independent Member, to one consideration, and it was an important one. For 25 years he had watched with disappointment and regret the wayward course of legislation in one particular. Whenever there was anything like an opportunity of taking common ground and making a common law for the United Kingdom, it was neglected and thrown away. But if ever there was an opportunity sent as a God-send to this House it was this Session, when, by a fortuitous concourse of circumstances, both the local government system of Ireland and the local government system of England were admitted to require reform—and thus they had a golden opportunity of getting rid of that discontent and jealousy which was the bane of the Empire. But the opportunity of bridging over the gulf of difference between the two countries was about to be lost by official imbecility. He was not to be answered by the flippant excuse that it was difficult to adjust to one single system the local government of both countries. Difficult! He never heard of anything that was worth doing that was not difficult. The business of the House was to overcome difficulties, and not to succumb to them, yielding to the indolence of right hon. Gentlemen. He told the right hon. Gentleman opposite that his duty was not to let the Session pass without showing discontented Ireland that the Government were anxious to embrace the opportunity of passing some law which would apply to both countries alike. If the Government were to send this Bill, and the Irish Grand Jury Bill, which had been kicked almost to death by the opprobrium of both sections of Irish Members, to a Select Committee, would it be possible for anything to come back to the House like the wretched, paltering, helpless Bill they had now before them? The Grand Jury Bill pleased nobody in Ireland, and the supporters of the County Boards Bill were at their wits' end to explain why they would vote for it when they did not like it. Nothing but the direst necessity would induce them to accept it, but some future explanations would be given. What that "but," or that explanation might be, the House did not yet know; but they might depend upon it it would be no better than the reason given for the Irish Grand Jury Bill—that tottering remnant of old sectarian jobbery; and, having made local government in England his study, he knew it to be distrusted by the mass of the ratepaying population. It was deplorable, that, having no great measure on foot, and happily no War Estimates to provide for, they did not attack that great anomaly, and crush it, and show themselves for once to be in earnest in attempting to solidify the Empire. Did any hon. Gentleman on either side of the House really remember that they were now 78 years after the inception of Incorporate Union? What was an incorporate union, if it was not an identification and a fusion of the chief functions of life? Was that found in these two Bills? Could they find any man—farmer, bailiff, or overseer—who would know where he was if he was told that these Bills were the same in principle? They had—he did not say opposite—but discordant and unlike systems, which gave plausibility to the statement that Parliament was determined not to assimilate the law of the two portions of the Empire; and, until that was done, they could not expect the discontented people of Ireland to believe their protestations. If the Government were wise, they would refer the Bill to a Committee upstairs. Was it not possible, after 78 years of broken promises, to begin to make the same laws for the whole of the Empire? He was not such a pedant as to ask, and he had seen too much of the difficulty of legislation in that House to suppose it possible, that in matters of religion and education they could make one law for both countries; but, if it was impossible to assimilate the laws in respect to religion and education, it was a duty to legislate upon those things respecting which the feelings of the two countries were not materially different. Was there any reason why the same law should not be adopted respecting roads and bridges? Out of 100 magistrates in Ireland 23 were nominated by the sheriff, and those 23 alone represented the interests of the gentry in the making of roads and bridges. That was a distinction for the worse in the case of Ireland. Yesterday the Government had only escaped by a majority of 5 having a vote recorded in favour of the same municipal franchise in the two countries. Seventy-eight years after what was called a Union, but which was legislatively only the farce of a Union, such a division was taken. He entered the House yesterday without any intention of taking part in the Business, and he would not forget soon the spectacle which met his eyes. ["Question!"] They were dealing with the question of local government in counties, and he was citing, by way of illustration and analogy, their mode of dealing with the local government of towns. Not only were the opposite benches empty, but there was not a single Cabinet Minister present. On the morning of such a notable and significant exhibition they were asked to pass this Bill, which deliberately began by excluding that portion of the Empire which most needed reform. From this point of view this was a miserable Bill, because it was faulty in conception; and, not being a general Bill, it would prove an abortive measure, and would meet with the disapprobation of both sides of the House.

MR. SCLATER-BOOTH said, that he had been charged by hon. Members on both sides of the House with many sins of commission and of omission; but he scarcely expected to have been charged with neglect in not having extended the operation of this measure to Ireland. He was willing to do anything that was practical; but nothing could be more impracticable than to attempt to deal in the same Bill with a subject of this character for both England and Ireland. This was a very difficult subject to deal with comprehensively, not merely as regarded the three Kingdoms, but so to allay the jealousies of various bodies; and to keep in view the varying circumstances of the counties and of the metropolis, as to combine them in one measure applicable to all alike. No one who had not tried it had a conception of the difficulty there was in framing measures of this nature. He thanked the hon. Member for Mid Lincolnshire (Mr. Chaplin) for his speech, and he sympathized with him in his regret that the time should have arrived when, in his own opinion, and that of the Government, it was necessary to make a serious change in the system of county government. He himself, and most of the 12 Members of the Cabinet, had for many years been magistrates and chairmen of quarter sessions; and, therefore, it was monstrous to suppose that they were insensible to the difficulties they would have to encounter, nor that they would be otherwise than reluctant in asking the House to make a fundamental change in the constitution of those courts. The principle of the Bill was, that the county ratepayers, as well as the owners of property in the counties, should have a voice in the management of the county funds. There were two causes—to speak as a logician—which had called this Bill into existence, an efficient cause and a final cause. Last year the House had resolved, on the Motion of the hon. Member for South Norfolk (Mr. Clare Read), that the time had come for its introduction, and hon. Gentlemen on that—the Government—side of the House were emphatically responsible for the decision arrived at on that occasion. This was the efficient cause; but there had been a final cause—namely, not only to give expression to the long-entertained although but faintly-expressed wish, on the part of county ratepayers, that they should have a voice in the administration of county funds, but also to bring forward new powers and functions for county administration, and that was impossible without a simultaneous change in the constitution of quarter sessions. The object in view was to give something like unity of representation to the rural districts of counties, and enable them to hold their own not only against the centralizing powers of the Government, but also against the domineering powers of some great towns; and also to check, to some extent, the centralizing tendency of Parliament itself. It had been repeated over and over again that for want of a change in the constitution of the county authorities, functions and duties had been heaped upon the Boards of Guardians until the latter had nearly broken down under the weight imposed upon them. He had been much surprised to hear the hon. Member for Burnley (Mr. Rylands) object to the Bill on the ground that it would tend in the direction of centralization. The measure certainly contained no clauses to enact that centralization should cease; but he could scarcely understand any hon. Member who had taken the trouble to study the question failing to see that its whole tendency was in the contrary direction. If the Union area, for instance, had been adopted for the purposes of election, then the charge might have lain; because, in that case, the Local Government Board would have been more or less the central authority. But this had not been done. The area that had been adopted was one which would give to the boards an almost perfect independence of any central authority. With regard to the adoption of the Union area as the elective unit for the construction of county boards, he quite understood the point of view from which hon. Gentlemen opposite approached that subject. He had before, in speaking on this matter, stated that he had no rooted objection to Union areas. On the contrary, his intention and desire, in the first conception of the Bill, had been to found the county boards upon such areas; but when he came to examine thoroughly into the question, he found not simply that there were difficulties, which he should have been happy to endeavour to meet, in the way of devising means by which those areas might be turned into electoral bodies for county boards, but that no proposition of this nature could be of equal and invariable operation throughout the country. On the Boards of Guardians there were *ex-officio* members who, in many instances, were the life and soul of the boards; but if the Guardians were to elect the county boards, these *ex-officio* members must, for that particular purpose, be ousted from their functions, so that the decision would not, in fact, be the decision of the complete Board of Guardians. To show the House to what extent it would be necessary to provide special means for special representation in regard to the divided portions of the Unions, he would mention that there were in England 647 Unions, 465 of which were wholly within one county, 147 in two counties, 31 in three, and four in four. There would thus be many broken portions to be provided for. The difficulties in the way of bringing the Unions within the county boundaries were immense. More than 3,000,000 acres of land would require to be dealt with, and in each case the question would arise whether a particular owner would have to pay a larger or a smaller sum in the shape of rates on the transfer of his property from one Union to another. He had a list of the boroughs of the Kingdom, and would mention a few cases to illustrate the further difficulties that arose from the exceptional position of the quarter sessions boroughs. In Devon there were 11 quarter sessions boroughs, in Norfolk four, in Shropshire five, in the West Riding four, and in Hants five. Another remarkable county was Durham. In the Durham Union there were 28 parishes, of which six were wholly in the quarter sessions borough, and four partly so, while 18 were outside the borough; in Sunderland, of the 11 parishes in the Union, seven were wholly, and four partly in the quarter sessions borough. In all of these cases, and there were 90 of them, the Guardians would be unable to vote as a united body for the election of a member to serve on the county board; and it would be quite a farce to regard such an election as a representation of the Board of Guardians. It had been asked what virtue there was in the petty sessional area, and he could say at once that there was no virtue in it at all; but that it was, for many reasons, a very convenient division, and the real division or unit under this Bill was the parish. That might be a good or a bad arrangement, but no one could say that the petty sessional area could be jobbed; these areas were convenient groups of parishes, and on that account alone they had been adopted by the Government. A question had been asked, why, if these administrative duties were to be assigned to county boards, the boards were not also to have the management of the police? He thought it would be sufficient to say, in reply, that if Government had placed the management of the police in the hands of the county boards, they would have been flying in the face of the unanimous Resolution of the House of Commons of last year. He admitted that the establishment and management of the police was a municipal affair in the larger urban districts; but the police, during the last four years, had been paid to such a large extent out of the National Exchequer, that there seemed to be sufficient reason why they should be left under the control of the magistrates. It was an easy thing to leave the police rate with the magistrates just now, and no conflict would arise on that score. He did not know whether he need notice the speech of the noble Lord (Lord Randolph Churchill), who had seconded the Amendment. That speech had given him much pain; and he did not know what he himself had done, or what the Government had done, to deserve the sneers and sarcasms which had been bestowed upon them. For his own part, he felt entirely guiltless, and had heard the noble Lord's speech with no feeling but regret. As for the criticisms of the hon. Member for Birmingham (Mr. Chamberlain), he would ask, was it a reasonable thing to call upon the people of this country to submit to elections, political contests, and disturbances of that kind, which they had never asked for, and which the Government had every reason to believe would be thoroughly unpopular? Not only was there no evidence that the people had any desire for such elections, but the Government were even said by some to have gone out of their way in bringing forward so much of an electioneering arrangement as was to be found in this measure. The object of the Bill was a very humble one; it was to satisfy the reasonable demand which had been made to provide a body to which could be entrusted some very important new functions, and there was no intention whatever to secure, as the hon. Gentleman said, "government by superior persons." The hon. Gentleman also complained that Her Majesty's Government desired to secure "reserved seats" for the magistrates on the board. They desired no such thing. What they desired was that the justices should have a reasonable number on the board to carry on the work which they already so well performed. He did not anticipate any friction between the two sections of the board, and he believed that the representatives and the magistrates would work harmoniously together. With regard to the Amendments, he recognized in them fair subjects of discussion. He could not say how far, without breaking down the scheme of the Bill, he could incorporate in it any of the proposals which were on the Notice Paper; but he could assure hon. Members that those Amendments should have the best consideration of himself and the Government.

Mr. O'DONNELL (who spoke amid *cries of* "Divide!") said, he perceived a desire on the part of the Government to shorten the discussion. That desire was not unnatural, for the more that was said about the measure the less lovely it looked; but he wished, as an Irish Member, interested in the measure of local self-government to be obtained for his own country, to support the Amendment. The Bill, in his opinion, combined the worst faults of bad Toryism with maudlin Liberalism, and ought to be thrown out by both sides. It was part of a general system of sham legislation for which the present Ministry was distinguished. This was not a Tory Bill of the good old time; it was a Bill of the new sham Tory time, and both Tories and Liberals ought to oppose it. This system of legislation by muddle, as he might call it, tended to produce in the minds of the people a habit of leaning on the central authority. It would not have the effect of educating the county constituencies for the performance of a single one of their functions before they were called on to take their part in Imperial legislation; but it would lower most decidedly the prestige of the governing authorities of the counties. This was an untenable attempt to carry out the appearance of a Liberal reform, while at the same time soothing the fears of ardent Tories by a number of restrictions intended to neutralize anything like popular power in county institutions. His belief, therefore, was that the measure, instead of providing necessary reform, would introduce confusion, recklessness, and carelessness into the present administration. The Bill was, in fact, a sham. It held out expectations which it was not designed to carry out, and, in fact, kept the word of promise to the ear, and broke it to the hope. The Liberals ought to oppose the Bill, because it tended to bring the whole state of county government into confusion, and would really increase the tendency to centralization. He protested against the unreal character of the Bill, and said that it was only an attempt to "dodge" the great questions at issue.

Mr. MITCHELL-HENRY moved that the debate be adjourned. He said, that at the commencement of the Session the right hon. Gentleman the Chancellor of the Exchequer invited the Irish Members to take part in the General Business of the House, whether Irish or Imperial. They had endeavoured to do so, without much success, as was seen by the reception hon. Members got in to-night's debate. The reason why they claimed a hearing now was that the character of this Bill would determine the character of legislation for Ireland. It could not be supposed that Irish Members would allow this Bill to be passed without opposition for England, and then to be applied in a still more restricted manner to Ireland; for they knew by experience more was never given to Ireland than was given to England.

Mr. MELDON, in seconding the Motion, said, that he was not one of those who ever attempted to impede the Business of the House or unduly to protract discussion; but, on the present occasion, he earnestly entreated the Government to accede to the reasonable request for an adjournment, put forward by Members from Ireland. When the second reading of the Bill was being discussed, the Chancellor of the Exchequer consented to postpone the next stage until after the introduction of the Grand Jury Amendment (Ireland) Bill. That had now been done, and the state of affairs the Irish Members anticipated had come to pass. A Bill was introduced for Ireland quite different in principle from the Bill now being considered. Irish Representatives had fully made up their minds to resist to the utmost of their power all attempts at legislation for Ireland different in principle from England; and, on the present occasion, they wished to point out that a more popular measure of local government was proposed for England than for Ireland, and by taking the opportunity of discussing this question on the English Bill, they wished to secure equal legislation for Ireland. It was no answer to say, pass the English measure first, and then try and make the Irish Bill similar; because experience proved that once a measure was passed for England, Irish Members would not be successful in obtaining similar legislation for Ireland. Look at borough and municipal franchises. Session after Session, Parliament was asked to assimilate the laws in the two countries; but, because England had what she wanted, Ireland was ignored. The number of English Members who wanted to speak in the present debate had been so large, that Irish Members had not been able to secure a hearing, and they were determined to oppose the further progress of the Bill, unless an assurance was given by the Government that the Irish Grand Jury Bill would be based on at least as popular a principle as the English. He hoped the Chancellor of the Exchequer would consent to the adjournment.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Mitchell Henry.*)

The CHANCELLOR of the EXCHEQUER: Sir, I can assure hon. Gentlemen sitting opposite that there is no desire on the part of the Government to prevent them from taking part in this debate. My right hon. Friend who has charge of the Bill would have been most anxious to answer any observations that might have been made by the Irish Members before he himself rose.

Mr. MITCHELL HENRY (rising amid great interruption and *cries of* "Order!") said, an hon. Member behind him had addressed the House, but had failed to obtain a hearing.

The CHANCELLOR of the EXCHEQUER: I am quite sure that there has been no indisposition to hear Irish Gentlemen speak on the Bill, and, as far as it was possible, we endeavoured to listen to the speech of the hon. Member for Dungarvan (Mr. O'Donnell); but I am bound to say, that after we had heard some of the hon. Gentleman's remarks three or four times over, and when he seemed to have little intention to discuss the merits of the Bill, but only to refer to it in general terms, the House did not appear disposed to give him so much attention. But we are perfectly ready now—it is not very late—to listen to any speech on the merits of the Bill, if hon. Members opposite feel disposed to address us. I would point out to the hon. Member who proposed, and the hon. and learned Member who has seconded, the Motion for adjournment, that what they have proposed to do is hardly reasonable, and I hope they will not persist in that course. In the first place, as regards Irish legislation on the subject, a Bill has been introduced, and is before the House. That Bill will be proceeded with, and the sooner we are able to make progress with the present Bill, the sooner shall we be able to get on with the Irish measure, and take an opportunity of discussing it on its merits. There is no desire to prevent hon. Gentlemen opposite discussing this Bill; it is fair and prudent that they should have an opportunity of doing so; and if they will allow us to go on and vote the Speaker out of the Chair, Progress shall be at once reported, and we shall be happy, on the occasion of any discussion that may arise on the details of the Bill in Committee, to have the advantage of any remarks hon. Members from Ireland may wish to make. I believe that one of the first Amendments down on the Paper for consideration in Committee raises the question whether the Bill is or is not to affect Ireland, and a discussion upon that point might be conveniently taken then. I trust that the Motion for adjournment will be withdrawn.

Question put.

The House *divided*:—Ayes 44; Noes 244: Majority 200.—(Div. List, No. 45.)

Question again proposed, "That the words proposed to be left out stand part of the Question."

Mr. PARNELL said, he wished to direct the attention of the House to the statement of the Chancellor of the Exchequer, that he was always willing to give Irish Members the opportunity of taking part in debates on English Bills, while he deliberately refused that opportunity when they had asked for it on several occasions. To repeat such a statement in face of his action was little less than a mockery. If such conduct was to go on, he did not know what it would lead to. They had been told that they were to have a County Government Bill for Ireland, which was to be on the same footing as the English Bill; but when the measure was introduced, they found that that also was a mockery, neither fulfilling the anticipations of its promoters, nor the statements of those who were responsible for it. The Grand Jury Law Amendment Bill was said to be framed on the same lines as the English Bill; but they found, on examining it, that it took away the very privileges which the English Bill conferred, and substituted others entirely different, and of a far more autocratic character. As an Irish Member, he felt an interest in this Bill; and when he moved the adjournment of the debate on the second reading, he was told that opportunity would be given for discussion on going into Committee. Yet they had not had it. It was said the Irish Members did not rise to speak. The hon. Member for Dungarvan (Mr. O'Donnell) did rise repeatedly; and, in the face of that, the President of the Local Government Board rose at 11 o'clock to wind up the debate, refusing to Irish Members the privilege which had been enjoyed by Englishmen. It was absurd to offer them, as the Chancellor of the Exchequer did, the opportunity of taking part in a debate at a quarter to 1. How could their constituents know their sentiments, when it was utterly impossible that anything done at that hour could be reported in the Irish papers. They spoke in that House under a great sense of responsibility, for the people they represented suffered under laws which had been forced upon them, and were maintained by that House against their will. They could do but little for people in this defenceless state, strive as they would; and it was, therefore, right that they should do all in their power, and leave no stone unturned to obtain for Ireland the same measure of justice that was now offered by the Government to England. As to the Grand Jury Law Amendment Bill, that miserable parody of legislation, he could not find in Parliamentary language terms sufficiently strong to characterize it. It was such a miserable substitute, such a wretched pretence to offer to people who were thirsting for benevolent legislation—people who did not believe in either the will or the desire of the House to legislate beneficially for them; but who, notwithstanding all discouragements and the rebuffs that House insisted upon administering to them on every possible occasion, still came asking for redress of their grievances—still came appealing to that House not to close the doors of the Constitution in their face. He moved the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."— —(*Mr. Parnell.*)

MR. NEWDEGATE said, the hon. and learned Member for Kildare (Mr. Meldon) had expressed his intention of discussing the provisions of the Grand Jury Bill. During the debate in Committee on the Bill then before the House, opportunity would be given for that discussion when the Irish Bill was legitimately before the House, and it appeared to him that it would be a violation of the rules of debate for the hon. and learned Member to take such a course. He had not observed that any Irish Members had been denied the opportunity of speaking in that debate; while, as to the other demand that all Irish measures should be the same in their details as the Bills brought forward for England, where, on such a principle, would be the Home Rule Party? He was not in favour of any change in county government; but the Government were pledged to do something, and that being so, having had some experience of county administration for England, he thought the measure a beneficial one. At the same time, he could not help wishing that it had not been found necessary to introduce it at all. He trusted hon. Members from Ireland would not persist in attempting to discuss the Grand Jury Bill at this time; but that they would adhere, at all events, to the rules of debate, and offer no unfair interference with proposals relating solely to England.

MR. SULLIVAN said, the hon. Member who had last spoken questioned the right of Irish Members to debate an Irish Bill on a discussion of an English measure, and he treated them to a speech on the tactics of the Home Rule Party upon a Motion for adjournment. He was thus as much out of Order as the hon. and learned Member for Kildare, whom he condemned. It was said that no Irish Members had spoken in that debate; but if the Speaker, in the exercise of that model impartiality which they all acknowledged, had called upon an Irish Member during that evening, the result would have been to exclude some English Member from the debate—and who, of all those that had spoken, did they think ought to have been shut out? The English Members who had spoken deserved to be heard, and the Irish Members did not wish to interrupt them. There was time enough for all, and it was right that the English Members should have full and free scope. He would admit, however, that the desire of Irish Members to speak upon this subject had been quickened by their irritation at discovering the sort of Bill which the Government intended to bring in for Ireland. There was no disguising the fact, that since they had discovered the nature of the measure, they had girded up their loins for a real struggle upon this English Bill. They could call the proposal of the Government for Ireland nothing but a mockery, a delusion, and a snare. Her Majesty's Government had lost a magnificent opportunity for dealing in a bold and comprehensive way with this question of local legislation. Even hon. Gentlemen who did not believe in Home Rule, at least believed in the wisdom and sound policy of relegating to the counties such local administration as would lighten, to a great extent, the burdens of that House; and this Bill might have constituted local parliaments in the shires and counties that would have laid broad and deep foundations for such a reform as this country had not seen for 50 years. They must constitute these boards on a far wider scope than that in the Bill, and he fully agreed with the noble Lord the Member for Woodstock (Lord Randolph Churchill) and his hon. Friend the Member for Finsbury (Mr. W. M. Torrens) in their criticisms on this point. He hoped, therefore, that the Government would take time for reflection, and see if they could not broaden the scope and extend the area of this measure. Forty years ago the Irish Poor Law system was introduced; but the boards, then created for merely pauper purposes, had now control of schools, cattle disease, sanitation, and other functions never dreamed of 40 years ago. They had worked their way up from the very small and inadequate foundation of Poor Law boards to the position of local parliaments. Why should not the Government bring together these different purposes in England into one general Bill, and put them under the control of one local county parliament? They were throwing away an opportunity in retaining all these jarring and conflicting boards, interests, and rights, instead of bringing them all into one body. He begged the House to consent to the adjournment, on the ground that a broader view would be taken of this opportunity, and a nobler use made of it, after further discussion of the question.

MR. O'DONNELL said, he wished to refer to some remarks which he understood the right hon. Gentleman the Chancellor of the Exchequer had made respecting him during his absence from the House. The right hon. Gentleman was under a misapprehension in saying that he had not endeavoured to take part in the debate at an earlier stage than he had done. He had attempted to address the House—when the hon. Member for Finsbury (Mr. Torrens), and other hon. Gentlemen, rose; and, while he was himself desirous of taking part in the discussion, he did not like unnecessarily, at so early a stage, to prevent English Members on either side from speaking upon a measure which related to England. Although he was perfectly resolved to exercise his full privilege to speak on all English, as well as on all Irish, Bills, he should invariably, with regard to the former, let English Members lead. But he was surprised to hear that the right hon. Gentleman had described his remarks that evening as consisting, for the most part, of repetitions; for he had a distinct recollection of having arranged his observations under different heads; and if he had repeated anything it was in consequence of the buzz of conversation that had prevailed on the benches opposite. The sin of repetition, if it was a sin, had been committed on the Ministerial bench itself; for the right hon. Gentleman had repeatedly promised to listen to hon. Members from Ireland, and to give every consideration to the views they might express in that House, and yet had denied them the opportunity he had so frequently promised them. With regard to the Motion for adjournment, he hoped that the House would consent to it, as there was a large number of Irish Members desirous of taking part in the discussion upon this important Bill. The hon. Member for North Warwickshire (Mr. Newdegate) was wrong in supposing that they wanted to discuss the details of the Irish Bill while this one for England was before the House. Their earnest desire was to improve the character of English county administration; because they knew that that was their only chance of securing for Ireland a passable ideal of county administration, recognized and applied in that country.

THE MARQUESS OF HARTINGTON said, he was certainly not able altogether to understand the grounds upon which the adjournment of the House had been moved and pressed. If it was the opinion of the hon. Members from Ireland that the English County Government Bill ought to form a model for the Irish Bill, then he thought the best course would be to allow the former to proceed as speedily as possible, and thus ascertain what shape the Bill was finally to take before they adopted it as a model for legislation with regard to Ireland. If, on the other hand, hon. Members for Ireland thought the English Bill, in whatever shape its provisions might be, should be extended to their own country, they would have an early opportunity, in Committee, of moving that it be extended to Ireland. They could adopt it, in that way, either with or without amendment. Although the demand now made was one which was not altogether easy to be understood, still it appeared to him that the Government would do well, at that stage, not to indulge in one of those contests which marked, with not much credit to the House, the close of the proceedings of last Session. If the debate were adjourned, it could not be said that much time would be lost at that period of the Session. An hour or two more might be occupied in discussion, and then Progress could be made in Committee, which, at that advanced hour, could not be made that night. It would tax the ingenuity of the Members for Ireland to show how the cause of better government for their own country would be promoted by the obstruction of a County Government Bill for England.

THE CHANCELLOR OF THE EXCHEQUER said, the advice of the noble Lord who had just sat down was, no doubt, founded upon experience. Seeing what the feeling appeared to be in a certain part of the House, he thought that the Government would do well, under the circumstances, to accept it. He, therefore, would be willing, if the Motion for the adjournment of the House were withdrawn, to consent to the adjournment of the debate.

Mr. MITCHELL HENRY, before the Motion was withdrawn, wished to explain to the House that hon. Gentlemen were entirely in error when they supposed that Irish Members had any intention to obstruct this measure. On the contrary, they had respectfully listened to everything said by English Members; and their only desire now was to explain fully their views on this and all other important questions.

Mr. PARNELL confirmed the assurance of his hon. Friend (Mr. Mitchell Henry) that nothing was farther from his intention than to obstruct the progress of this Bill, or of any that had been introduced that Session

Motion, by leave, *withdrawn.*

Debate *adjourned* till *Thursday* next.

SUPPLY.

Report [4th March.]

Order read, for resuming Adjourned Debate on Question [6th March], "That the said Resolutions be read a second time."

Question again proposed.

Debate *resumed.*

Question put, and *agreed to.*

First Resolution read a first time.

On Question "That the Resolution be read a second time,"

Mr. PARNELL called attention to a matter of some importance, to which he had referred when Vote 1 was passing through Committee. It was, he said, a question connected with the pay and allowances for recruits and hospitals. In the Estimates of 1876-7, at page 16, under the head of Special Allowances, a sum appeared of £13,190; and, two Sessions ago, the hon. Member for Clonmel (Mr. A. Moore) asked the right hon. Gentleman the Secretary of State for War to give some explanation respecting that item. The right hon. Gentleman's reply was that, if the hon. Member would move for Returns on the subject, he would be very willing to grant them. In compliance with that intimation, the hon. Member did move for Returns. One was granted, and it gave a partial explanation of the item of £13,190. The hon. Member for Clonmel was naturally dissatisfied at the scanty nature of the information contained in that Return, and accordingly moved for a further Return. In the first the item of £11,179 was not explained, and in the second it was represented as being partly for hospital services and partly for recruiting and miscellaneous services. Of that sum of £11,179, it appeared that only £6,260 was supplied for hospital services, the remainder being put down in the Return as the average profits accruing to field officers and captains. These average profits would appear to be £6,278 for field officers and captains. Of the sum of £11,179, no portion seemed to have been spent for recruiting services. Under the head of Extra Pay, he found the sum of £6,910; but, in the Estimates of the present year, he was unable to discover any mention of the particular item of £13,190, which appeared in the Estimates of 1876-7. Before the Return, moved for by the hon. Member for Clonmel, was granted, that item of £13,190 was put under the head of Special Allowances. When the first Return was granted, only a portion of that sum was accounted for, and the remainder was put down as an allowance of £158 to each company. The subsequent Return explained that the balance of £11,179 was devoted to hospital and recruiting services; but only a portion—namely, £6,260—had been devoted to hospital services, and none to recruiting services. The item of £13,190 had disappeared from the Estimates of the present year; and he did not know where it was to be found. He had asked the right hon. Gentleman to tell him where it was, and to point it out, or to say whether the £6,910 was the item in question, and what had become of the rest of the £13,190, which had appeared in the Estimates of 1876-7, but not in the Estimates of 1878-9. For his own part, he was disposed to think that a portion of it was contained in the item of 6,910, for Extra Pay; because it was just what the captains of companies, the field officers, and staff sergeants received. If that was the case, he would like to know what had become of the balance? He moved that the Vote of £4,690,269 be reduced by the sum of £6,910. That was on Vote 1.

MR. GATHORNE HARDY explained that the matter to which the hon. Member had directed attention came under Vote 21.

Question put, and *agreed to.*

Second Resolution read a first time.

On Question, "That the Resolution be read a second time,"

Amendment proposed, to leave out "£4,572,000," in order to insert "£4,565,090,"—(*Mr. Parnell,*)—instead thereof.

Question proposed, "That £4,572,000" stand part of proposed Resolution."

MR. GATHORNE HARDY: The question of the Stock Purse of the Foot Guards was originally raised by the hon. Member for Clonmel in 1876, and as the hon. Gentleman (Mr. Parnell) has stated, I gave him the Return for which he asked. That Return explained how the money was distributed. The fact is, that the Stock Purse was as old as the reign of Charles II., when there was no standing Army; and it was originated by the officers of the Guards, who took charge of their own affairs, and paid various expenses, receiving certain profits on the supplies. Up to the time of the Crimean War that system continued. After the Crimean War, what had been an uncertain allowance was made a permanent allowance, dealing with the different subjects which had come under the head of the Stock Purse, such as recruiting services, hospital services, and the like. It was a certain sum paid to the officers in lieu of the profits they had received on supplies. A Committee sat in the War Office on the subject; and, after that inquiry, the Motion made in the House in 1876 was brought forward; and last year, the distribution to which I have just referred was not continued. This year, £6,910 is, I understand, the payment which was given to the captains. It is the payment which they have always had before. It was allotted to them, subsequent to the Crimean War, as a regular payment. The other items have now been distributed under the different heads to which they properly belong; not given separately, but mixed up with the other heads. That, I understand, is the arrangement which has been made; certainly, I know it was the one intended to be made. I am bound to say that I could not follow the hon. Member in his references; because the Memorandum he sent me contained the intimation that he was going to object to extra pay with respect to the Foot Guards. I have referred to the items of that pay, but I may not have looked at them with great care. I think my explanation will be sufficient, as showing that the £158 per company has been distributed over several items; whilst, with regard to these extra payments to captains, they are to be divisible amongst them. If you make the calculation, as, I believe the hon. Member has done, you will find that the former practice of keeping the items separate has been discontinued, and that they are found distributed under the various headings to which they respectively belong.

MR. O'SHAUGHNESSY said, the accounts showed that, up to the years 1876 and 1877, inclusive, a very large sum of £6,000 had been voted, under the head of hospital expenses, recruiting expenses, and miscellaneous expenses—a sum which did not go for those purposes, but which formed part of the pay, or rather of the perquisite, of the officers of the Guards. Therefore, up to that period, neither the public nor the House were aware of the object to which that sum was devoted. It was now, for the first time, presented to the House in its true aspect as a sum of money payable to the officers of the Guards. A question remained to be discussed upon it that was deserving of the consideration of those who had regard for economy. That would be evident to anyone who recalled what had been said by the hon. and gallant Gentleman the present Secretary to the Treasury (Colonel Stanley) when this matter was brought before the House by the hon. Member for Clonmel. The hon. and gallant Gentleman then admitted that this sum was paid to the officers of the Guards, and was included under a head which did not suggest any payment to the officers of the Guards; and he said, also, he believed it was not in accordance with the feeling of those officers that there should be an inquiry into the Stock Purse expenses; that such an inquiry had been contemplated for some time past, but the question up to the time at which he spoke was not rife for investigation. As an inquiry had since taken place, those who had regard for economy, and those who looked with suspicion upon a Vote granted for one purpose and devoted to another, would like to know the conclusions which had been come to, and the grounds on which those conclusions had been based. The Secretary to the Treasury seemed very doubtful as to whether these payments could not be sustained; because he used these words—"Whether these allowances were right or wrong, they were payments which had been made from time immemorial." So that all that he, holding high office at the time in the War Department could say was, that prescription was the argument on which he relied in behalf of these payments. A reason had now been made out for asking why these payments were made, and for asking the House to consider whether they should continue. With reference to the sum of £11,079, which had appeared in the former Estimates, it could not be found in the present Estimates, nor did the right hon. Gentleman, by any explanation, enable hon. Members to trace it there. It was a sum which was supposed to have been spent in recruiting. When he looked at the Return, to ascertain how the money was actually expended, and turned to the items for recruiting, he found that of that sum of £11,079, only £145 had been disbursed by the Guards in recruiting. On the other side, amongst the Receipts, he found under the head of "Ready money" paid to men discharged by purchase out of the taxes of the country into the pockets of the Guards' Department—or, in other words, into the Regimental Stock Purse—a sum, in excess, amounting to £713. That was to say, £11,000 was given to them, amongst other matters, for purposes of recruiting; they spent £145 on certain recruiting purposes; and then they were recouped for that expenditure of £145 with £713, taken out of the public funds. That certainly was a strange anomaly; but there was a stranger one still. The Return moved for by the hon. Member for Clonmel (Mr. A. Moore), showed that all the expenses of recruiting in these regiments of Grenadier Guards, Coldstream Guards, and Scots Guards were not borne out of that £11,000, not even by the £745 voted from another portion of the public funds, and passed into the Stock Purse; but voted under another head altogether, and brought out of the amount of £6,500. That was to say, the country had to pay, according to the Return, £6,500 for recruiting in the Guards, and £145 out of the £11,000 besides. What had become of the £11,000 was hard to say. It was under some extraordinary fiction that £743 was recouped to the Guards from the Stock Purse Fund. If this was not a case for an inquiry, he had never heard of one. He had said nothing about the hospitals. He would not go into details on that part of the question; but it certainly seemed to him a strange circumstance that, although large sums had been voted for the Stock Purse Funds, out of which the officers of the Guards were supposed to defray all their hospital expenses, still some of the most sacred obligations which they could contract were left undischarged by those officers. A Roman Catholic clergyman, whose duty, as a pastor in Westminster, it was to attend all the hospitals of the Guards, told him only the other day that he himself had been in almost constant attendance there; that Roman Catholic clergymen paid frequent visits; that they had to attend the funerals of Catholic soldiers who died in these hospitals; and yet they received no remuneration whatever for discharging those duties. Whether it was in good taste for gentlemen who had the control of these funds to allow such services to be unrequited, he left them to decide. If it was true that the Guards, and not the War Office, had the control of the hospitals and the other institutions attached to these regiments, he certainly should look not to the War Department, but to the Guards themselves, to defray these expenses out of the funds at their disposal.

Mr. PARNELL, though not satisfied with the statement of the right hon. Gentleman the Secretary for War, asked leave to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Resolution *agreed to.*

Subsequent Resolutions *agreed to.*

MUTINY BILL.

On Motion of Mr. Secretary Hardy, Bill for punishing Mutiny and Desertion, and for the better payment of the Army and their quarters, *ordered* to be brought in by Mr. Secretary Hardy, The Judge Advocate, and Colonel Loyd Lindsay.

Bill *presented,* and read the first time.

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Friday, 8*th March*, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Exchequer Bonds (£1,000,000) *; Public Baths and Washhouses * (39).
Committee — Territorial Waters Jurisdiction (23-38).

THE EASTERN QUESTION — RUSSIA AND TURKEY—THE TREATY OF PEACE—THE CONGRESS.

QUESTIONS.

EARL DE LA WARR: I beg to ask my noble Friend the Secretary for Foreign Affairs a Question of which I have given him private Notice. It is, Whether the noble Earl is in a position to give your Lordships any information as to when a Copy of the Treaty of Peace between Russia and Turkey is likely to be laid on the Table?

THE EARL OF DERBY: My Lords, I told my noble Friend, when he gave me private Notice of his Question, that I had no objection to his putting the Question; but I added—what I now repeat—that I am afraid I am not in a position to give him any information on the subject.

EARL GRANVILLE: My Lords, I also wish to ask the noble Earl a Question of which I have given him private Notice—though I am not sure that he will be able to give any satisfactory answer to it. It is, Whether he can give the House any information as regards the place of meeting of the proposed Conference?

THE EARL OF DERBY: My Lords, when last I answered a Question in this House on the subject of the proposed Congress—or Conference, as it was then entitled—I stated there was an agreement among the Powers concerned that the meeting should be held at Baden. Since then communications have passed between some of the Powers, and the result of those communications has been that the place of meeting has been changed from Baden to Berlin. Her Majesty's Government have offered no objection to the change, and, as far as we are concerned, it can make no difference; but I am not able to state with any certainty at what time the meeting will take place. There is another very important question—namely, what, if any, shall be the bases on which the Congress or Conference shall meet? On that subject we are in communication with the other Powers—especially with Austria — the Austrian Government being the Government which initiated the matter. In a despatch, which has been already laid on the Table of your Lordships' House, we have stated that we are not prepared to recognize as valid any changes which may have been made in the arrangements of preceding European Treaties until those changes have received the consent of the Powers who were parties to those Treaties; and we have further stated our opinion that it would be desirable that not merely a part, but the whole of the Treaty arrangements concluded between Russia and Turkey should be submitted to the Congress.

RUSSIA AND PERSIA.

QUESTION. OBSERVATIONS.

THE EARL OF DUNRAVEN said, he likewise desired to ask a Question of the noble Earl of which he had given him private Notice. It was this—Whether the statement was correct which had appeared in one of the morning journals of that day—*The Daily Telegraph*—in the form of a telegram dated from Pera?—

> "That certain negotiations are proceeding between the Russians and Persians for the cession to the latter of part of the Bayazid district. in exchange for sundry places on the Caspian Sea."

He had nothing to say as to the relative value of the two districts; but it seemed to him that the principle involved in the exchange was of some importance. Private arrangements between Russia and Turkey were not to be considered as accomplished facts until they were submitted to the Powers in European Conference; but if Russia were allowed to enter into possession of the territories which she claimed from Persia by exchange or otherwise, matters might be a good deal complicated at the Congress.

THE EARL OF DERBY: My Lords, I am aware that rumours have been floating about of some transactions of the nature referred to by the noble Earl. There was a rumour lately of a secret understanding between Persia and Russia for a cession to Russia of a district on the Caspian coast. I thought it worth while to ascertain by telegraph what truth there might be in that report; and the Persian Government have absolutely denied that there is any truth in it. I am not in a position to afford information as to any other arrangements for the cession by Persia of any portion of its territory.

TERRITORIAL WATERS JURISDICTION BILL—(No. 23.)

(*The Lord Chancellor.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD HAMMOND said, that before the House resolved itself into Committee, he wished to call attention to a misapprehension which appeared to exist in Germany in regard to the purport and intent of the Bill. Their Lordships might have noticed certain articles in *The North German Gazette*, which were reproduced in *The Times* of March 2, and *The Morning Post* of March 7, the writer of which assumed—

> "That the English Government intends to claim jurisdiction over foreign vessels merely passing along the coast of England, and consequently over all those using that international waterway of commerce, the Straits of Dover."

He certainly understood from the observations which fell from the noble and learned Lord on the Woolsack, and also from the terms of the Bill itself, that it was not contemplated to advance or enforce any new claim in respect of the territorial waters washing the coasts of Her Majesty's Dominions. The object of the Bill, as he understood, was to remove the difficulties entertained by a majority of the Judges in regard to the manner in which jurisdiction might be exercised over the open seas adjacent to the coasts of Her Majesty's Dominions. The learned Judges, as he understood, did not express any doubt as to the existence of rightful jurisdiction on the part of Her Majesty within that distance of the coast of Her Majesty's Dominions—namely, three miles—which had always been accepted and recognized by the jurists of all countries as being within the territorial domain of the Sovereign of the adjacent coast—but merely doubted the Court and form of procedure by which such jurisdiction could be enforced. It might not be matter of surprise that the intricacies and technicalities of British law and procedure should not be correctly apprehended in foreign countries; but, as it would seem desirable that any misapprehension in this respect should be authoritatively removed, he ventured to submit to the noble and learned Lord on the Woolsack, and perhaps even to other noble and learned Lords in the House, whether it might not be expedient, by some explicit statement as to the intent and purport of the Bill, to dispel the doubt which would seem to be entertained abroad with respect to them.

THE LORD CHANCELLOR: My Lords, I am not myself aware of any doubt of importance being entertained as to the scope and object of the Bill. The noble Lord correctly understands what is its real object. It does not in any way go beyond what is the clear and well-established rule of law on the subject—a rule of law supported by the authority of the international writers and recognized by the maritime nations. When presenting the Bill I took the liberty of alluding to a recent judgment of one of our Courts, with the view of showing what that rule is; and the noble Lord is entirely right in thinking that the object of the Bill is to cure a defect discovered to exist in our own law. The Bill is not one which proposes to alter the international law, but one which makes provision for applying the machinery of our own municipal law so as to make it work in harmony with the international law. The noble Lord has referred to remarks on the subject made in a German paper. Now, my Lords, there can be no doubt as to what is the view of Germany, for I hold in my hand a copy of the German instructions issued to the commander of a gunboat stationed in the North Sea for the protection of the fisheries. This, my Lords, is an extract from those instructions—

> "That tract of the sea which extends to a distance of three sea miles from the extremest limit which the ebb leaves dry of the German North Sea coast, of the German islands or flats lying before it, as well as those bays and incurvations of the coast which are ten sea miles or less in breadth, reckoned from the extremest points of the land and the flats, must be considered as under the territorial sovereignty of the North German Confederation. So far as this territorial sovereignty extends, in accordance herewith, fishing is allowed exclusively to fishermen of German nationality, and to fishing boats be-

longing to North German subjects. Fishing within the aforesaid range is, therefore, forbidden to foreign fishing boats under any circumstances, neither must they resort there at all, unless it be that the wind, the current, seafaring wants, or some other cause entirely independent of the commander's will, should lead to the transgression of the limits, or that the boat is on its direct way to a port where its cargo is to be sold."

Again, my Lords, those instructions state—

> "Foreign fishing boats which pass within the limits of territorial sovereignty described in No. 1 of their own free will, and not being on their direct way to a port for the sale of fish, are to be turned back. If the fishermen therein resist, or if they fish within the aforesaid territorial limits, they may be arrested and delivered over for judgment to the nearest local authority that is competent."

My Lords, I do not think I need go further with the view of showing that the Bill does not go beyond a limit recognized by the German Government.

House in Committee accordingly.

Amendment made: The Report thereof to be received on *Tuesday* next; and Bill to be *printed* as amended. (No. 38.)

POOR LAW AND HIGHWAY BOARDS (UNION OF PARISHES).

ADDRESS FOR RETURN.

THE EARL OF REDESDALE, in moving an Address for Return relating to the union of parishes and Poor Law and Highway Boards of all complaints made to any public offices of inconvenience arising from the union of parishes belonging to different counties in Poor Law or Highway Boards, said, that from practical experience he believed no inconvenience had arisen from a union composed of parishes situated in different counties. In the case of Highway Boards, it might not be desirable, in some cases, to have a very large district.

Moved that an humble Address be presented to Her Majesty for—

> Return of all complaints made to any public offices of inconvenience arising from the union of parishes belonging to different counties in Poor Law or Highway Boards.—(*The Earl of Redesdale.*)

THE DUKE OF RICHMOND AND GORDON said, there was no objection to the granting of the Return, which would probably contain much useful information. He would defer any observations on the question of the union of parishes in different counties till the Return was on the Table.

Address *agreed to.*

ECCLESIASTICAL BENEFICES.

ADDRESS FOR A ROYAL COMMISSION.

THE ARCHBISHOP OF YORK: My Lords, in moving the Address of which I have given Notice, praying Her Majesty to issue a Royal Commission to inquire into the law and existing practices as regards the patronage, sale, and exchange of ecclesiastical livings—to me a somewhat difficult and invidious task —I desire, at the outset, to state that I have not the slightest desire to do away with, or to diminish lay patronage, in the Church of England. The late liberality of the laity of the Church, and the fact that they have subscribed £300,000 as an addition to the £100,000 in the hands of the Ecclesiastical Commissioners is a proof of the sincerity of their interest in the Church; and is in itself security that, as a rule, lay patrons are anxious that the best men should be appointed to the cure of souls. My Lords, in moving the appointment of a Royal Commission on a subject which your Lordships have had before you on a former occasion, I feel that I am bound to make out a case for withdrawing the question from your Lordships' House and consigning it to a Royal Commission. In 1874 my right rev. Friend (the Bishop of Peterborough), in a remarkable speech, in which he put before you many instances of the breaches of the law of simony which took place day after day, moved the appointment of a Select Committee to consider the subject; and under the influence of the statements by my right rev. Friend, your Lordships agreed to the appointment of the Committee. The right rev. Prelate showed the House most clearly that there existed in this metropolis offices in which constant breaches of the law against simony were committed day by day. The Committee entered upon their inquiries immediately, and very shortly after presented their Report, in which they made certain recommendations; and in the following year a Bill based on these recommendations was presented by my right rev. Friend, and consisted of 28 clauses. The Committee had recommended that no clerk should be instituted unless he brought testimonials signed by there beneficed clergymen and the Bishop of the diocese from which the candidate had come. That recommendation was included in the Bill; but the provision was considerably modified by your Lordships; and as it left this House the signature of the Bishop was dispensed with, and only the signatures of three beneficed clergymen were required. Now, my Lords, in my opinion, the safeguard of the Bishop's signature is all important. A friend of mine once remarked to Mr. Justice Wightman that it was curious how experts, when examined in a law case, were found to give such contradictory opinions; when the learned Judge observed that often he should have liked to ask the party this question—"To how many experts had you to go before you could get the opinion you liked?" There were very few candidates for a benefice who, by going round, could not obtain the signatures in their favour of three good-natured clergymen. In the case of Mr. Voysey he had got three clergymen to testify to the soundness of his doctrine, and every one of those three clergymen afterwards volunteered to me, as Archbishop, the expression of their regret at having so rashly signed that document; but it took hundreds—I believe I might say thousands—of pounds to undo what had been done by means of their signatures. There was another case, in which three clergymen signed for a young clergyman, though then knowing of conduct on his part which subsequently led to his removal. In that case, also, great regret was expressed. I will not anticipate what the Royal Commission will do; but I think that it is desirable in all cases to retain the signature of the Bishop, or to require some form of testimony from him. The next recommendation of the Committee was that physical or mental incapacity should be a bar to induction. That recommendation, I am happy to say, was retained in the Bill. But it must be remembered that learning and other qualifications are requisite besides those which would come under the general head of moral and physical capacity. The third point was the recommendation of an amended process to try the validity of the Bishop's refusal to institute; but that recommendation was omitted from the Bill. Now, I would ask your Lordships to consider the position of the Bishop in this matter. Of necessity he is the person who, in the first instance, stands in the gap. Under the old process, the Bishop was first judge and next defendant. If he refused what was asked, and proceedings were taken against him in a higher Court, he was bound to defend his position, and the process of reviewing his decision became extremely expensive and dilatory. I would suggest that, whatever the conditions imposed in connection with his action in such matters, the Bishop should be judge in the first instance, and that there should be only one appeal from his decision, which decision should be given in writing, the Bishop not being obliged to follow his judgment personally into the Court of Appeal; so that the case would be heard in his absence. That would relieve the Bishop from a process extremely tedious in its nature, and extremely costly and vexatious in its character. The next recommendation of the Select Committee was that a right of objection should be given to the parishioners. That was adopted in the draft Bill; but no provision was made as to what the Bishop was to do when he got the objection. The proposal, therefore, was open to the objection that if the Bishop did not do what he was called on to do, he would be accused of slighting the parishioners; whereas, if he did it, he might be doing what his own judgment did not approve. The adoption of such a proposal would put the Bishop in a false position towards the parishioners. The Select Committee recommended—I believe unanimously—that every clergyman should have had an experience in the ministry of three years as a curate before he would be eligible for appointment to the permanent cure of souls. The Bill did not contain that proposal. Again, the Committee recommended that no clerk over 70 years of age should be appointed to a cure of souls, and a clause to that effect was inserted in the Bill; but the House thought it right to rehabilitate reverend gentlemen from 70 to 75 years of age by fixing 75 as the age at which such disqualification should commence to operate. But few persons reached 75, and fewer still were the clergymen who before that time of life had not found a permanent cure of souls. There were stories told of the induction of venerable clergymen who, despite the administration of strengthening port, had not been able to get beyond the Seventeenth of the Thirty-nine Articles—but he had never met with such a case. At present the person concerned made a declaration that no contract was made by him or for him which, in his opinion, was simoniacal —the result of which was that the clergyman himself was made the judge of what was simoniacal. As his right rev. Brother (the Bishop of Peterborough) said, that was a premium on ignorance on the point, because the less a man knew of simony the better for him. That was amended in the Bill by the introduction of a declaration against simony, contained in a Schedule which was afterwards struck out. In the matter of exchanges, no adequate provision was made to meet abuses of this description, which were almost as great as in the question of simony. I think some means ought to be taken to prevent misrepresentation and fraud in respect of them. In 1870 the present Home Secretary introduced a Bill in the other House prohibiting the sale of next presentations. The measure passed the other House without a division; but when it came up to their Lordships' House, after being read the second time without debate, the Order for Committee was discharged. The state of matters seemed to be this —that their Lordships did not appear to be at one with their own Select Committee, and were not in concert with the other House as to the fundamental principles which should guide an inquiry of this kind. Under these circumstances, I respectfully submit to your Lordships that you may very well resort to a different mode of treatment altogether; that you may have a Royal Commission which, if Government would grant it and organize it properly, would reflect every shade of opinion in the Church. In that case, there is a reasonable hope that the recommendations which may come from them, if they are at all unanimous, will carry such weight in both Houses that they will lead to good legislation. The Subscription Commission is a case in point. It sat for a long time, it was extremely well arranged by the Government of the day, and it was impossible to say that any shade of thought was not represented. The Government adopted its recommendations, and I have never heard any complaint of what was done by it. I do not stand alone in this matter. Since I put my Notice on the Paper, the Convocation of the Province of York has passed a unanimous resolution in favour of a Royal Commission; and from what I have heard I believe that the Convocation of Canterbury would pass a similar resolution if it were now sitting. It is not within the walls of this House that the feelings which are entertained on this subject can be understood. Abuses such as these would not be permitted to exist in secular matters. They are abhorrent to the minds of Englishmen—especially when they relate to holy things. It is not easy to catch those cases, but of their existence there can be no doubt. In a speech which has been made in "another place," it was stated that there was published a list of 94 advertisements for the sale of next presentations, and that in 57 cases of those 94 immediate possession was guaranteed. It was not too much to say that in almost every one of those 57 cases means were about to be adopted either to evade or break the law. Some years ago a gentleman was presented to a living in my own diocese. Among the papers forwarded there was a letter from the gentleman's "affectionate uncle" to myself, and it explained the mode of operation by which he was about to complete a clear act of simony. The price paid for it was £150, but the gentleman never became the vicar of the place; because the noble and learned Lord on the Woolsack was applied to to fill up the living on the ground that it was a case of simony. This kind of thing was going on in hundreds of instances. Now, my Lords, the objection to a remedy of these abuses does not come from your Lordships' House—nor does it come from the other House of Parliament. Does it, then, come from the laity? Certainly not—the laity out-of-doors cannot understand how it is that these things are allowed to go on—they do not desire it —they feel that it brings the system of lay patronage into contempt; every layman who is worth anything would combine to effect a remedy for the existing state of things. Parliament, the Clergy, and the Laity of the Church of England are unanimously opposed to the continuance of those abuses; and in a spirit friendly to the Church, Dissenters have condemned them in the other House of Parliament. It is said that lay patronage is so intermixed with the question of Establishment that the one cannot be interfered with without injuring the other. Now I, for one, will never, even for a single day, consent to leave an abuse untouched upon the ground of some real or fancied harm that trying to remove it might do to the Established Church. I do not believe that abuses tend to strengthen the Church Establishment. I am also of opinion that the present problem, most difficult and intricate though it undoubtedly be, and though with respect to it any change is to be viewed with great jealousy, is one which it is most desirable should be solved. In the name, then, of the Clergy of every school of thought, who are of one mind on the subject; in the name of the Laity, who are constantly twitting the Church with a shocking scandal, I ask your Lordships to take the practical mode of dealing with a question which must sooner or later be dealt with.

Moved that an humble Address be presented to Her Majesty, praying Her Majesty to issue a Royal Commission to inquire into the law and existing practice as to the patronage, sale, exchange, and resignation of ecclesiastical benefices, and to recommend remedies for abuses if any are found to exist.—(*The Lord Archbishop of York.*)

LORD HOUGHTON said, that he rose thus early to offer a few remarks, for the reason that he might not have another opportunity of addressing their Lordships on the subject, and that the same thing might occur as on the last evening, when the noble Earl the Foreign Secretary addressed a House of only eight Members. It was, in fact, almost impossible to conduct a debate of that importance to any satisfactory conclusion, notwithstanding all the amiable protests which were made the other evening upon the subject of time and empty benches. Although he felt unequal to meet the most rev. Prelate upon a question of this kind; yet he would endeavour to offer a few suggestions on some points which the most rev. Prelate had not so much left out as declined to bring forward. The most rev. Prelate had, as he understood, objected to the system of lay patronage; when it was through the great liberality of laymen that the Church had been built up, and might be said to be a large voluntary institution. The most rev. Prelate assumed a scandal, and then proceeded to deal with it as if it really existed, which he (Lord Houghton) for one would venture to deny. The most rev. Prelate's speech was, in effect, an attack upon lay patronage. The most rev. Prelate objected to the sale of next presentations; but such sale was by law allowed. The advowsons were the property of the patrons, and next presentations were attached to that species of property—they were entitled to the full enjoyment of their proprietary rights, and if they took those rights away they would alter, or diminish, or change the value of that property. His most rev. Friend seemed to have been actuated by an undue deference to public opinion upon the subject, and he had heard these sales denounced as a great abuse. That it was an abuse he assumed from the beginning to the end of his speech; but the question was whether there was an abuse, and, if so, whether any remedy could be found, and what course would be the most judicious in regard to the sale of next presentations? He did not think that it was for the members of the Church of England to be guided in this matter by the practices or opinions of the Nonconformists on the subject. He did not think that that amount of abuse existed which had been spoken of. He did not think the most rev. Prelate had made out any case for consigning the question to the inquiry of a Royal Commission. What was meant by appointing a Royal Commission? Why, the giving great and needless publicity to small abuses and exaggeration of evils in the Church of England. The Commissioners would not be able to conduct their inquiries secretly—the evidence would come before the public and be discussed; and he thought the very opening of the question would be equivalent to offering a reward for accusations. He did not think that it was a convenient course to discuss this question in the absence of the Lord Bishop of Peterborough, who had introduced a Bill upon the subject in 1875, and he did not see how it was logical that the most rev. Prelate should force on the Legislature a new edition of that Bill by means of an inquiry by an extraneous body, when the Legislature had already decided the question by the rejection of the right rev. Prelate's Bill. The livings in the gift of the Lord Chancellor were, under the Act passed by Lord Chancellor Westbury, sold under certain circumstances, and the greatest religious body, founded by the late Mr. Simeon, took advantage of that Act. The advertisements which had been referred to did not all relate to the sale of next presentations, but to advowsons as well, and with as much picturesqueness. He felt that, by passing the Bill for the abolition of lay patronage in Scotland, they had laid down a dangerous precedent in this matter. He objected to that Bill, and he did not hear that it had given much comfort or satisfaction to the people of Scotland. At the same time, the English question was larger and of very different proportions, and must, therefore, be dealt with differently. The main point he wished to urge on their Lordships was that it would be impossible for the Commission, if it were appointed, to deal satisfactorily with this question without dealing in some form with lay patronage; because, if the Report of the Commissioners were not to deal with that point, the evils would remain just as they were. He trusted, therefore, that their Lordships would agree that there was very little ground for his most rev. Friend asking for this Commission, which would be unable to make any Report either satisfactory to the Legislature of the country or beneficial to the Church of England.

THE DUKE OF RICHMOND AND GORDON said, he would not detain the House for more than a few minutes, and would not remark upon the question whether the audience of the preceding night had been large or small. He thought, however, that the source whence this Motion had come demanded for it the respectful consideration of the House, and that, whatever might be their individual opinions on the subject, the arguments of a high dignitary of the Church on such a subject deserved close attention. He did not propose to follow the noble Lord (Lord Houghton) in his somewhat discursive remarks on the views entertained by the Nonconformists as to the subject matter of the Motion. The noble Lord had said it would be inconvenient to discuss the question in the absence of the Bishop of Peterborough; but, having said that, he had plunged into the subject at length, and gave them a long lecture on it. There was no doubt the question was one of very great complexity, and the very fact that it had been the subject of attempted legislation in both Houses showed the very great difficulty attending upon its solution. He thought, therefore, that the course which Her Majesty's Government proposed to take was one that ought to commend itself to their Lordships' minds, and that course was to agree to the Motion. He did not propose to offer any opposition to the Address. He thought, after having said that, that he would be wanting in respect to their Lordships if he went into very knotty questions which required very careful consideration. There was one remark he would make upon a criticism of the noble Lord which related to the Scotch Patronage Bill, in which he (the Duke of Richmond and Gordon) entirely disagreed. He had said that the Scotch Patronage Bill was a measure which had not commended itself to the people of Scotland. Now he (the Duke of Richmond and Gordon) knew quite as much of the opinions of the people of Scotland as the noble Lord, and he ventured to protest against the noble Lord's view being entertained.

THE MARQUESS OF LANSDOWNE said, that though he did not intend to offer any opposition to the Motion, he felt that there were many arguments against the reference of the question to a Royal Commission. His noble Friend (Lord Houghton) had not given the best of those reasons, and had misconceived the tenour of the speech of the most rev. Prelate — who had, indeed, guarded himself against the idea that he had intended to attack the system of lay patronage. If the abuses of which they had heard were at all characteristic of lay patronage, its days were numbered; the evidence produced before a recent Select Committee, on which he had had the honour to sit, went far to prove that those abuses were not underrated. But the fact of their not being very numerous was irrelevant, for the mischief created by these occurrences was not to be measured by their frequency—they acted like the splash of a pebble dropped into a still pool, the ripple of which went on extending in ever-widening circles—and the scandals resulting from them inflicted a considerable amount of humiliation on Churchmen. The most rev. Prelate had told them that the Commission would reflect every shade of opinion in the Church of England. Now, it occurred to him that the calm deliberations of a Committee of their Lordships' House might be more effectual than the protracted and probably tempestuous discussions that would arise in a body in which every shade of opinion in the Church of England was represented. His principal objection to a Royal Commission was this—he understood that it was usual when a Royal Commission was appointed to undertake an inquiry of that kind that some attempt should be made to show that the subject of the inquiry was either too technical or too minute for convenient discussion by their Lordships' House. Now, as a matter of fact, that question had been discussed, and very fully discussed, by two Committees of that House; and although those Committees were not in all respects unanimous, there were many points on which they did agree very completely. The first of those Committees contained among its Members the most rev. Prelate himself, four Members of the Episcopal Bench, Lord Harrowby, and other lay Peers, and they took the evidence of one or two right rev. Prelates, the solicitors of Prelates, their secretaries, and other witnesses, and they produced a Bill to which reference had been made that evening. That Bill was referred to another Select Committee, than which no stronger Committee ever conducted an inquiry in that House. That Committee revived the Bill which was presented to their Lordships. It was true they made some Amendments in it; but, in the main, they agreed to accept a number of most important recommendations which proceeded from the first Committee. There were clauses with reference to donatives, bonds of resignation, and also a provision for registration by means of which publicity might be given to those transactions which were now so often conducted with secrecy. Now, the object of those clauses was limited to the creation of safeguards against the abuse by patrons of the right of presentation; but they did not attempt to take away from them the whole or any part of their right. Seventy-five per cent of the total value of an advowson was represented by the next presentation; and if an interest of that magnitude was to be dealt with by Parliament, he could not well see how they could avoid giving some compensation to patrons for the interference with their vested interests. The clauses of the Bill to which he had referred were likely to mitigate the abuses of which complaint had been made, and he thought it was not unreasonable to ask that some trial should be given to them.

THE EARL OF HARROWBY said, that he regretted the subject should be again submitted to further inquiry. The debates in this House, and the investigations of two Select Committees, had exhausted it. Nothing more was to be learned. They understood the nature and extent of that abuse; and they had learned the difficulty of applying a remedy without inciting greater evils. In the first place, they all admitted that private patronage ought not to be abolished. It must exist. The question was whether the power of sale was not a necessary incident. It certainly was, in one sense, a moral trust; but could they divest it of the incidents of property? Suppose sales to be prevented, and that it must remain in the hands in which it now rested, what security would that furnish for the exercise of the trust? Let it be attached to an estate. The estate was sold and broken up. To what portion of the estate was the advowson to be attached? Was it to be broken up with the estate? Into what hands would it fall? Conceive it either directed away wrong, or left in the hands of one, bankrupt and pauper, and sale forbidden, could they have worse security for the disposal of the trust? Was there any complaint made now of improper persons creeping into livings by sale? On the contrary, sale of presentations had introduced many most excellent servants of the Church, and connected it with other classes of the community, the most religious of the commercial classes, who would have no other means of access. The abuses arose from the abuse of the term of simony, and from the attempt to put down as a crime that which the moral sense did not acknowledge as such. Do away with the name altogether; recognize and regulate the practice, and give to the Bishop increased power for rejecting unfitting persons.

THE ARCHBISHOP OF CANTERBURY said, if he had had any doubt about the propriety of the course Her Majesty's

Government proposed to take on this matter, he should have been entirely converted by the speech of the noble Marquess opposite (the Marquess of Lansdowne). Comparing the Bill which had been read three times in the House of Commons and twice in their Lordships' House—[A noble LORD: It passed this House.]—One Bill passed this House, and another in 1870 passed a second reading here, after having passed a third reading in the lower House of Parliament. Comparing what was actually agreed to by Parliament with what had been stated to-night, it appeared to him that there was great confusion on this subject, and that the Houses of Parliament did not clearly see their way in this matter. Therefore, it seemed only desirable that as much light as possible should be thrown on this question. He totally differed from his noble Friend on the other side (Lord Houghton), who desired to keep things in the dark. The more light there was thrown on an abuse in the Church, or any other of our institutions, the better, provided you did it in an honest spirit and with the view of getting rid of the abuse. He believed it was the opinion of all the best friends of the Church of England that whatever abuses there were in our system should as soon as possible be dragged to light in order that they might be removed. On that point he could not agree with his noble Friend, who seemed to think—first, that there were no abuses in this matter; and, secondly, that if there were any abuses it was very dangerous to expose them. And he seemed also to think that it was absolutely necessary, if we preserved lay patronage, that we should preserve it in the most objectionable form. We served the Church of England best by seeing that, as far as the law went, it was well administered, and if there was anything such as had been represented in the evidence brought before the late Committee on this subject—if there was anything which brought discredit on the Church and which was not a violation of the law—he thought it was our duty to improve our legislation. He was sorry to differ so much from his noble Friend, who complained that we too often listened to Dissenters on this matter. He did not wish to found his opinion of the Church of England on those who were not its members; but if there were any abuses which they saw very clearly, he, for one, would be much obliged to them for drawing our attention to those matters; and he should not be deterred by the fact that those abuses were pointed out by persons who, though differing from ourselves, might co-operate with us in endeavouring to find a remedy for those abuses. With regard to the particular subject of the sale of next presentations, he felt that there was a marked difference between the sale of the next presentation and the sale of an advowson. It was pointed out by many witnesses who were examined in the Select Committee that the one case was the transfer of the responsibility of finding a fit person to be presented by him who became the possessor of the advowson; but all experience showed that in the other case the next presentation was purchased for some particular person. It was not the responsibility of selecting a fit person that was transferred; but the right of providing for some friend whom you wished to become the incumbent of the living. He had pointed out on a former occasion that past legislation had done very much to encourage that sort of view; and in one point he was fortunate enough to gain the support of the majority of the Select Committee to the proposition that an end should be put to what always appeared to him to be a very great evil in past legislation on the matter. He thought there were faults in the law, and especially in regard to the facilities offered for the evasion of the law. He thought that Parliament—at all events, since 1870—had been endeavouring to remedy these evils. He thought that there was a conflict of opinion between what was now apparently the general view of their Lordships to-night, and the opinion which they adopted in 1870 on the recommendation of the present Lord Lieutenant of Ireland, when a Bill passed the second reading for the abolition of the sale of next presentations. He thought, also, that there was a conflict of opinion between those who carried the Bishop of Peterborough's Bill in this House and those who allowed it drop in the other House of Parliament. He thought, also, that public attention was not sufficiently aroused on this important subject. If there was no other proof, it was sufficient to point out that when so important a subject as this was discussed a very short time since "elsewhere," a sufficient number of Members of Parliament were not found in "another place," to remain in their seats, and the discussion had to be closed because it did not command sufficient attention. Therefore, he thought that the appointment of a Royal Commission was a wise measure, which would tend to foster a proper public opinion on this subject, and to settle this question as soon as possible on a sound basis.

LORD SELBORNE said, that, considering the fate of the proposals made in time past to settle this matter, he did not think the time had come when it would be wise to legislate without some further preliminary inquiry; but he had no hesitation in saying that if the sale of next presentations could be abolished, the gain would be very great to the Church of England, because the sale of next presentations was the root of all the other evils we wished to get rid of. The most rev. Prelate had said, that on a former occasion only five lay Peers had voted for a clause, intended to have that effect. It must not, however, be supposed that those were the only lay Peers in favour of the principle. The Bill then before the House had come recommended by a Select Committee, and it was thought wiser first to try the remedies which they had recommended. But there were great difficulties in the way. Before the House could satisfactorily seek to legislate with the view of abolishing the sale of next presentations, they should know whether such a a change would affect the market value of advowsons to a substantial extent; and, in the event of its being ascertained that the value of such property would be so affected by it, then they should consider whether this was a case in which compensation ought to be awarded to those patrons who might sustain loss in consequence of legislation upon this subject; and, if so, by what means that compensation might be provided? It was agreed on all hands that, for the reasons which had been well stated by the noble Earl (the Earl of Harrowby), advowsons must continue to be saleable; and it must be considered, on the one hand, whether any other means of preventing existing evils could be effectual, so long as next presentations were sold; and, on the other, whether, if the direct sale of a next presentation were prohibited, it would not still be liable to take place indirectly under colour of the sale of an advowson. These were the difficulties of the question. The great evil was that cures of souls were, in practice, bought and sold, by or for particular clergymen. He confessed that it seemed to him to be utterly impossible to defend the purchase of a living by, or even for, the clergyman who was to be appointed to it; because this was trafficking in one of the most sacred trusts known to our law. The law would not permit the sale of any other position of trust—even commissions in the Army were no longer permitted to be bought and sold—and, therefore, he could not understand how anyone could venture to defend the system of purchase in the Church. It was not wonderful if, under such a system, clergymen held themselves entitled to introduce strange doctrines and practices into their parish churches against the law, and often against the wishes of their parishioners.

THE EARL OF ONSLOW said, that there had already been four attempts to deal with this subject without success. He hoped that some promise would have been made that the subject would be taken up by Her Majesty's Government, and that they would introduce a measure which would put the sale of livings and of advowsons upon a footing satisfactory to all parties; and he still hoped it would be possible to introduce a measure that would meet with the sanction of both Houses of Parliament.

THE DUKE OF SOMERSET said, that in 1874, when there was a Committee on this subject, he received numerous letters suggesting that episcopal patronage should be made a matter of inquiry. He thought that if lay patronage was to be examined, public opinion would require that episcopal patronage should also be examined into. It appeared that they were to have a Commission representing all grades of opinion in the Church. If that were so, the Commission would be a very large one indeed. He should wait with some curiosity to see the names of the Commissioners.

THE LORD CHANCELLOR suggested that it would be advisable to leave the word "patronage" out of the Motion, as the real object was to secure an inquiry into the sale of advowsons and next presentations. With reference to the observation that had been made by several noble Lords and by the noble Duke who had just sat down, he must point out that although Her Majesty's Government assented to this Motion, they did not pledge themselves that every shade of opinion should be represented on the Commission. He quite agreed with the opinion expressed that it was inexpedient to have Royal Commissions on every occasion. They were very important organizations which ought not to be used too commonly. There was no doubt that the question of the sale of next presentations was a very difficult one, and if they reviewed the Acts passed with regard to simony, and those affecting the power of Prelates to admit to livings or refuse admission, they would find they had a mass of difficulty to deal with which was as great as that presented by any other subject. In 1875 a Bill was introduced by the right rev. Bench containing provisions of a stringent character. It was referred to a Select Committee, where its stringency was diminished, and the clauses reduced from 37 or 38 to 21. When, however, it came again to be discussed in their Lordships' House, it was found that the reduced Bill was even stronger than it had been before in that form, and commended itself to the majority of their Lordships' House. The Bill was further reduced to 17 clauses, and in that form it fairly represented the extent to which the House was prepared to go. He could not agree that the subject of next presentations was fully considered in the first instance. It was considered in the Select Committee, and there was introduced into the Bill a most useful and important clause, to the effect that the next presentation was never to be separated from the advowson. Several proposals were made in the House with reference to next presentations and other matters intended to make the Bill more stringent, and thus bring it back to its original form; and upon all those proposals the right rev. Bench were in antagonism to the other Members of their Lordships' House. That was not a satisfactory state of things. There were in the House a large number of Peers who were lay patrons; and where there was a difference of opinion between those lay Members and the right rev. Bench upon the sale, exchange, and resignation of ecclesiastical benefices, the question could hardly be left where it was, and must be made the subject of further consideration. Therefore, the case was exactly in the position in which it might well be referred to a Royal Commission in order that they might see whether some middle course could be made the subject of a Report to come before Parliament with a view to the removal of these difficulties. On the part of the Government, he was prepared to assent to the Motion if the reference to patronage was omitted from it, and the Motion was allowed to read as follows:—

> "That an humble Address be presented to Her Majesty praying Her Majesty to issue a Royal Commission to inquire into the law and existing practice as to the sale, exchange, and resignation of ecclesiastical benefices, and to recommend remedies for abuses if any are found to exist."

THE ARCHBISHOP OF YORK assented to this proposal, and after a few remarks in reply—

Motion amended, and *agreed to.*

Moved that an humble Address be presented to Her Majesty, praying Her Majesty to issue a Royal Commission to inquire into the law and existing practice as to the admission to, and sale, exchange, and resignation of ecclesiastical benefices, and to recommend remedies for abuses if any are found to exist.—(*The Lord Archbishop of York.*)

House adjourned at a quarter before
Eight o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, 8*th March*, 1878.

MINUTES.]—NEW WRITS ISSUED—*For* Mid-Somerset, *v.* Ralph Neville-Grenville, esquire, Manor of Northstead; *for* Hereford City, *v.* Evan Pateshall, esquire, Chiltern Hundreds.
PRIVATE BILL—*Second Reading*—London and North Western Railway (Reddish to Leeds), *discharged.*

PRIVATE BUSINESS.

LONDON AND NORTH WESTERN RAILWAY (REDDISH TO LEEDS) BILL (*by Order.*)

SECOND READING.

SIR CHARLES FORSTER moved that the Order of the Day for the second reading of this Bill be postponed until Tuesday the 12th instant.

MR. RAIKES: Before this Bill is postponed, I wish to mention one circumstance in regard to it, which I think it is my duty to state to the House. In the course of last week, having received a communication from the Board of Trade, stating that in the public interest it was desirable that the Bill should be postponed until Tuesday next, I sent to the Parliamentary agents in charge of the Bill, requesting them to take that course. They, however, thought it proper to decline to accede to my suggestion, and caused the Bill to be put down for second reading to-day. I have thought it right to call the attention of the House to the circumstance, because I believe it is the first instance on record of any Parliamentary agent having disregarded any suggestion regarding the conduct of Parliamentary Business that came from the Ways and Means Office, and it is undesirable on that ground that it should be passed over altogether without notice. I do not wish on this occasion to take any further steps in the matter, particularly as the course which I suggested has now been adopted, and the Bill has been postponed; but, at the same time, I must say that it would only have been respectful to this House on the part of the agents if they had sent an intimation to the Ways and Means Office, that they intended to act in conformity with the direction of its officers.

Motion *agreed to.*

Second Reading *deferred* till *Tuesday* next.

TRAMWAYS (USE OF MECHANICAL POWER) BILLS.

Ordered, That it be an Instruction to the Select Committee on the Tramways (Use of Mechanical Power) Bills to consider under what conditions (if at all) the use of steam or other Mechanical Power may be authorised upon Tramways during the present Session, and to take evidence thereon if they shall think fit.

Ordered, That the Committee have power to send for persons, papers, and records.—(*The Chairman of Ways and Means.*)

QUESTIONS.

SOUTH AFRICA—THE KAFFIR OUTBREAK.—QUESTION.

MR. J. COWEN (for Mr. BURT) asked the Secretary of State for the Colonies, If he can state when the Papers relating to the Kaffir War will be laid upon the Table of the House?

SIR MICHAEL HICKS-BEACH: The Papers relating to South Africa are rather voluminous, and hence there has been some delay in their production. I hope the first portion will be in the hands of hon. Members by the end of next week, and the remainder I expect to be ready by the end of this month.

VENTILATION OF PUBLIC BUILDINGS —VENTILATION OF POLICE COURTS.

QUESTION.

SIR CHARLES RUSSELL (for Mr. FORSYTH) asked the First Commissioner of Works, Whether his attention has been called to the remarks of the sitting magistrate of the Marylebone Police Court, published in the "Daily Telegraph" of the 4th instant, in which blame is thrown on the Office of Works with respect to the ventilation of the Court?

MR. GERARD NOEL: I read with much regret the remarks made by the sitting magistrate at the Marylebone Police Court, reflecting, as they did, upon the Office of Works, more especially as all the complaints which have been made from that court have been invariably attended to, and it was only in October last we were led to infer that there was no fault to find with the ventilation. Having read the magistrate's statement in the papers on Tuesday, I went to the court, with the Secretary and the Surveyor of the Board of Works, on Wednesday to inspect it, and found the ventilators, which were constructed on the principle of the Tobin's pipes and equally effective, all hermetically sealed, and when the court got crowded and hot the windows were opened, thereby causing a down draught towards the fire-places in the court, which explained at once the misery and discomfort complained of by the solicitors and reporters. I requested that the ventilators might be opened on the following morning, and the Secretary attended with the Surveyor, and I was informed that the ventilation was all that could be desired. I cannot conclude without remarking that it was hardly fair or just on the part of the sitting magistrate, after the attention which has been invariably paid to his complaints, and after the neglect paid to the ventilation of the court by his own officials, to make the sweeping charges he did against the Department. I can only say that any complaint coming from the Marylebone Police Court or any other court shall always receive immediate attention.

POST OFFICE—MAIL CONTRACTS.

QUESTION.

MR. HOPWOOD asked the Postmaster General, Whether the Department was in a position, on the 1st of February, to give notice to terminate the Mail Contracts with the Peninsular and Oriental Steam Shipping Company; whether such notice has been given; and, whether notices inviting tenders are likely to be issued, and when?

LORD JOHN MANNERS, in reply, said, that, in December last, the notice to which the hon. and learned Gentleman referred was given to the Peninsular and Oriental Steam Shipping Company to terminate the contract in February, 1880, and the question of calling for fresh tenders was now under the consideration of Her Majesty's Government.

VACCINATION ACTS.—QUESTIONS.

MR. HOPWOOD asked the President of the Local Government Board, Whether he is aware that Charles Washington Nye, of Chatham, having lost two children, as he believes through vaccination, for refusing to vaccinate his other children since, has been prosecuted eight times (between October 1869 and December 1877), and endured various terms of imprisonment amounting to a total of six months and three weeks in Canterbury and Maidstone Gaols; whether it is true that the clerk to the guardians has urged that he be again prosecuted; and, whether, in view of this and other like cases, the Government will support the Bill of the hon. Member for South Durham or propose some other remedy?

MR. SCLATER-BOOTH: It is true that Mr. Nye, who is said to be a secretary of the Anti-Vaccination Society, has, unfortunately, lost two children; but not from vaccination, as the medical certificates—one of which was the result of a coroner's inquest—show the cause of death to have been cholera. I do not know how many times he has been imprisoned; but in the Medway Union, to which place my inquiries have been restricted, I find he has been imprisoned three times since August, 1871, for refusing to have two of his children vaccinated, one of the prosecutions having been a second one in respect of the same child. The clerk to the Guardians denies that he advised this prosecution. What he did was to state, in reply to a question, that it would be legal to prosecute twice for the same child, and he quoted, in support of that view, the judgment of the Queen's Bench, delivered in December last, in the case "Tedd *v.* Jones." No alteration of the law is, in my opinion, required, if the local authorities will only exercise a reasonable discretion as to the cases in which they cause proceedings to be taken. The objectionable character of the publications circulated by the Anti-Vaccination Society renders it extremely difficult to support legislation of a mitigating character as regards repeated prosecutions.

EARL PERCY asked the President of the Local Government Board, Whether it is the fact that between the years 1847 and 1851 the deaths from small-pox in England and Wales were 27,438; between 1852 and 1856, 18,081; between 1857 and 1861, 18,313; between 1862 and 1866, 24,716; between 1867 and 1871, 31,876; and between 1872 and 1876, 26,988; and, if so, to what he attributes the increase in this source of mortality; and, whether he contemplates taking any fresh steps to arrest it? Also, whether the inquiries which the right hon. Gentleman said last year were being prosecuted by the medical officers of the Board last year had been attended by any result?

Mr. SCLATER-BOOTH: The figures are correctly stated by my noble Friend; but, as arranged in the quinquennial periods, might lead to erroneous inferences without a few words of explanation. The increase in small-pox mortality which they exhibit during the 10 years, 1867-1876, was entirely due to the epidemic which occurred in 1871 and 1872; for, in the remaining eight years of the decennial period, the mortality was much below the average. That epidemic was of a very malignant character, and prevailed throughout the whole of Europe, and, indeed, throughout the world; but in no country, so far as we know, except Denmark, was the mortality from it so low as in England. A full account of it is given in the Report of the Medical Inspector for 1874. Since that time the mortality has been below that of all previous experience, having in the five years, 1873-7, been little over 2,400 a-year. In the last quarter of 1877 it was only 405, including 316 deaths in London, and thus leaving 89 only in the rest of the country. It must be remembered that the present Vaccination Act did not come into force till 1872. We have every reason to be satisfied with its success, generally; but, of course, there are places—among others, parts of the metropolis—where it has been less completely worked. The only measure at present called for seems to be greater activity among the local authorities of these places. But I know that my noble Friend is interested in the question of vaccination from the calf. The inquiries in Belgium and elsewhere, to which he alludes, were interrupted by the illness of the medical officer; but it will be satisfactory to him to learn that I have caused a portion of the Grant for scientific investigations this year to be employed in experiments on the subject, which are now in progress.

LICENSING—LICENSED HOUSES.

QUESTION.

Mr. J. G. TALBOT asked the Secretary of State for the Home Department, When the Return relating to Licensed Houses, which was laid upon the Table on the 14th August last, and ordered to be printed, may be expected to be in the hands of Members?

Mr. ASSHETON CROSS, in reply, said, that 956 circulars had been sent out; but the Department had to write twice and sometimes five times before getting an answer, and some of the answers had to be sent back again for revision. But though the Returns relating to licensed houses were not yet complete, he hoped they would be shortly in the hands of hon. Members.

WAYS AND MEANS—THE FINANCIAL STATEMENT.—QUESTION.

Mr. COOPE asked Mr. Chancellor of the Exchequer, If he is able to state on what day he intends to introduce his annual Financial Statement?

The CHANCELLOR of the EXCHEQUER: I hope to introduce the Financial Statement in the first week in April. I am unable at present to say whether it will be on the Monday or on the Thursday.

CATTLE PLAGUE—OUTBREAK IN LINCOLNSHIRE.—QUESTION.

Mr. CHAPLIN asked Mr. Chancellor of the Exchequer, If he can state to the House whether it is true, as reported, that there has recently been an outbreak of Cattle Plague at Rigsly, in Lincolnshire; and, if so, what steps Her Majesty's Government have taken, or intend to take, for its suppression?

The CHANCELLOR of the EXCHEQUER: This afternoon I received a note from the Department of my noble Friend (Viscount Sandon), which I will read to the House. It says—

> "No information has been received by the Government of any outbreak of cattle plague in Lincolnshire or elsewhere; but it is known that a fatal disease, which is believed to be splenis apoplexy, appeared among some cattle on a farm at Rigsly, near Alford, in Lincolnshire, on the 23rd of February last. Forty-eight cattle died in the course of a few days. Information of a second appearance of the disease on the same farm was telegraphed to the Lord President yesterday, and the Chief Inspector of the Veterinary Department was immediately instructed to proceed to the place for the purpose of making inquiries."

Since that note was written a telegram has been received from the Chief Inspector stating that only one animal has died in the last outbreak, but that four others show signs of illness. It may be interesting to the House that I should read a letter from a gentleman well known in connection with this question—

"The Brown Institution, March 8.

"Sir—I observe that Mr. Chaplin gave Notice last night that he was about to ask a Question of the Vice President of the Council or of yourself as to the recent outbreak of 'cattle plague' in Lincolnshire. Being at present engaged in an inquiry on the subject which has been set on foot by the Royal Agricultural Society, I take the liberty of sending you some information on the subject.

"As soon as I heard of the outbreak, I requested Mr. Duguid, veterinary surgeon of the Brown Institution, to investigate on the spot. He has made two journeys for the purpose, from the second of which he has not yet returned. The following are the most important results of his inquiries:—1. The disease is not 'cattle plague,' but 'splenic fever.' It is not a new disease in England, although outbreaks of so alarming a character as the present one have seldom occurred. From what is known as to its nature and causes it is not likely to spread. At the next meeting of the Agricultural Society, I hope to communicate facts which will tend to throw light on its mode of origin in the particular instance now in question.

"I have the honour to be, Sir,
"Your obedient servant,
"J. BURDON SANDERSON, M.D.,
"Superintendent of the Brown Institution.

"The Right Hon. the Chancellor
of the Exchequer."

NAVY — TORPEDO BOATS.

QUESTION.

MR. JAMES STEWART asked the First Lord of the Admiralty, Whether, having regard to the present depressed condition of the Shipbuilding Trade throughout the Country, he will give an opportunity to private firms to tender for the Torpedo Boats which it is reported that the Government require?

MR. W. H. SMITH, in reply, said, that the torpedo boats now in course of construction were being built under contract by private firms; and if it should be necessary to increase the number, and it should be for the convenience of the public service, the same course would be followed. He could not say anything more on the subject.

THE EASTERN QUESTION—THE CONGRESS OR CONFERENCE.

OBSERVATIONS. QUESTION.

THE MARQUESS OF HARTINGTON: When I gave private Notice to the Chancellor of the Exchequer that I should ask a Question about the Congress, I did not observe that the hon. Gentleman the Member for Christchurch (Sir H. Drummond Wolff) had on the Paper a Question on the same subject to be put on going into Committee of Supply. As it may be doubtful at what hour the hon. Gentleman may be able to put his Question, it may be for the convenience of the House that I should take this opportunity to ask the Chancellor of the Exchequer, Whether he is able to give any information as to the meeting of the Conference or Congress?

THE CHANCELLOR OF THE EXCHEQUER: I am afraid I cannot give any information as to the time of the meeting of the Conference or Congress. But I may state this—that originally the invitation to Her Majesty's Government, which came from the Government of Austria, was to attend a Conference to be held at Vienna, and that place was afterwards changed to Baden-Baden. Her Majesty's Government accepted that invitation, and designated Lord Lyons, Her Majesty's Ambassador at Paris, to be our Plenipotentiary. Quite recently, yesterday—I think yesterday afternoon—another communication was made by the Austro-Hungarian Government, proposing that the Conference should be held at Berlin. Her Majesty's Government had no objection to the change of place, and I believe that the answer has been by this time given accepting that change. Lord Lyons has been for some little time designated as Her Majesty's Plenipotentiary, and has been for some days in England in conference with Her Majesty's Government on the subject, and he will remain, no doubt, the Plenipotentiary who will represent this Government at the Conference. I mention that because that is a Question of which my hon. Friend (Sir H. Drummond Wolff) has given Notice.

SIR H. DRUMMOND WOLFF said, the reason he had put his Question on the Paper was because he wanted a discussion as to the propriety of going into the Congress at all.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

REPRESENTATION OF MINORITIES.

RESOLUTION.

MR. BLENNERHASSETT, in rising to move—

> "That, in the opinion of this House, it is desirable that the whole electoral body should be enabled to enjoy that direct representation which is at present confined to majorities; that no effectual security exists for the due representation of minorities; and that, as far as possible, all opinions should have an opportunity of being represented in direct proportion to the number of electors by whom they are held,"

said: In asking the House to consider the question before us, I am deeply conscious of the magnitude and difficulty of the task I undertake. Nothing but the strong conviction I entertain of the paramount importance of the subject could induce me to place myself in a position where the personal insignificance of the Mover so strongly contrasts with the ambitious nature of the Motion. I am not unmindful, either, how various and how important are the considerations involved in any interference with the electoral machine; and I am fully, and even painfully, conscious of the difficulty I shall have in placing clearly and with sufficient brevity before the House the nature of a scheme which has yet hardly been admitted into the arena of Parliamentary discussion; and which, at the same time, involves considerations extending far and wide over the field of political speculation. I would be glad, indeed, that this proposal had the advantage of being introduced by someone whose experience and position in the House would secure for it an attentive hearing, and, in this hope, I have let four Sessions of the present Parliament pass by in silence. Impressed, however, as I am with the belief that no question more important, nor any involving graver and deeper issues, could be submitted to Parliament, I have felt that I ought not to allow any personal reluctance to prevent my using the opportunity which we all enjoy to secure the discussion of those subjects in which we are most deeply interested. I rely with confidence on the forbearance of the House towards, I may almost say, a silent Member; and I am encouraged by the recollection that most of the great changes which have taken place in our political system have been, in the first instance, advocated by private persons with but little support and on their own responsibility. Although the question of Proportional Representation cannot yet be said to have attained general popularity, it has occupied the attention, and received the approval, of many of the greatest political minds in our own and in foreign countries. I am glad to take refuge under the shelter of such great reputations. Mr. John Stuart Mill, in his autobiography, says that, having become acquainted with Mr. Hare's system of Personal Representation, he saw in that great practical and philosophical idea the greatest improvement of which the system of representative government was susceptible. He says—

> "This great discovery in the political art inspired me—as I believe it has inspired all thoughtful persons who have adopted it—with new and more sanguine hopes respecting the prospects of human society, by freeing the form of political institution towards which the whole civilized world is manifestly and irresistibly tending, from the chief part of what seemed to qualify or render doubtful its ultimate benefits."

M. Prevost Paradol has said—

> "Proportional Representation is, to my mind, as evident and almost as important an improvement upon the majority system of representative government now in vogue as the application of steam was to industrial pursuits."

I could quote the opinions of eminent public men in almost every country of Europe, and in the United States of America, who have spoken in the same spirit of enthusiastic approval. It is, surely, not reasonable to regard an idea which has recommended itself so thoroughly to some of the highest political intelligence of the age, as a mere theoretical subtlety or crotchet unworthy the attention of practical men. Nor can we be surprised at the enthusiasm which the idea of a scientific system of representation has evoked when we consider the defects and the injustice of the existing system of mere majority representation. When Mr. Mill brought forward a proposal to introduce the principle of minority representation into the Reform Bill of 1867, the present Secretary of State for India—then a Member of this House—made a remarkable speech, in which, though he did not accept the proposals of Mr. Mill, he admitted that the evil against which those proposals were intended to provide was a real evil. He said we were in danger of the introduction into our political system of the hard machinery of local Party organization, conducted by Party managers, not always men of the purest motives or highest character, and he feared the result would be that persons who were unwilling to shape their every idea and feeling by the test of Party—to put their consciences wholly into the keeping of local Party leaders—would be entirely excluded from the House of Commons. But the exclusion of original and independent thinkers from Parliament is not the only evil of our imperfect representative system. The necessary effect of that system is to exclude altogether from representation, and to deprive of all share of political power, an enormous number of persons, who, as duly qualified electors, are nominally within the pale of the Constitution, and whose right to be represented is indisputable. These persons, consisting during each Parliament of the aggregate of the minorities in all contested elections, together with the minorities, often considerable, in those constituencies which from various causes have not been contested, may be fairly assumed to vary from a-third to something under a-half of the whole electoral body. At the last General Election the unsuccessful candidates received 891,836 votes; the House of Commons, as it then stood, being elected by 1,593,347 votes. The fact, therefore, is that in every Parliament, out of a total of not much more than 2,500,000, at least 1,000,000 electors are unrepresented, and of these a considerable number—namely, all those whose Party is in a permanent minority in their constituencies, are never directly represented in the whole course of their lives. It is evident that the effect of thus, as it were, cutting off in detail all local minorities, is that in divisions of this House the majority of Members may represent only a minority of the electoral body; for, of course, a majority of a majority may be but a minority of the whole. Our anomalous representative system, however, not only fails to provide that the majority of the electoral body shall command a majority in the House—it does not even secure to the majority of the directly represented electors a preponderating influence in our divisions. The unequal distribution of electoral power, which gives electors in small and unimportant constituencies 100 or even 150 times more voice in the selection of a Member than electors in the great constituencies, sometimes leads to the defeat even of the actual electoral majority. As a matter of fact, important divisions have recently taken place, in which the minority of Members has represented a far greater number of electors, and more important political interests, than the majority. The existing state of things cannot be defended even on the ground of justice to the majority. Considering, therefore, the evil of the exclusion of able and independent men from Parliament, the practical disfranchisement of a large portion of the electoral body, the loss to the State of the wholesome influence of local minorities, and the liability of the opinions even of the represented majority to be falsified, is not any plan by which these evils may be remedied, and the opinions of the people truly represented, at least worthy of attention? So, we may be sure, would have thought that great master of political wisdom who said—

> "The virtue, spirit, and essence of a House of Commons consists in its being the express image of the feelings of a nation."

How much stronger is the case if it can be shown that all this can be done, not by any violent breaking away from the old principles which have guided the government of the country, but by carrying those principles to their natural and reasonable conclusion, by imposing on the individual elector no duty which the simplest can fail to understand, and by the aid of no machinery except that which would be easily worked and is always ready to hand. It is only those, I think, who have never taken the slightest trouble to understand the nature of this proposal who will venture to describe it as complicated and impracticable. I believe I shall be able to prove that all the conditions I have mentioned are fulfilled in the system of personal Proportional Representation on which my Motion is founded. A few words will be sufficient to indicate the leading features of that system. Every elector, wherever he resides, should have one vote. There is no adequate reason for giving an elector, because he happens to live in a particular place, the right to vote for three or four Members, while other electors, with precisely the same qualification, are only allowed to vote for one Member. Large and important constituencies are, no doubt, entitled to a greater amount of representation than others; but the real measure of political power is not the number of Members for whom an individual elector may vote, but the number of votes necessary to return a Member. The existing inequality in this respect, which gives a few hundred electors in some little place as much influence as many thousand electors elsewhere, is a distinction out of harmony with the feelings of the time, and cannot much longer be maintained. Every elector, therefore, should have only one vote; but he should be allowed to make the freest possible use of that vote by giving it to the candidate whom, of all candidates in the country, he thinks will best and most truly represent him. For this purpose, votes should be received in every locality for others as well as for the local candidates. An elector who does not feel that any of his local candidates are persons in whom he can put his trust, or with whose opinions he can agree, should not be condemned to choose between disagreeable alternatives—as Hortensio says—"There's small choice in rotten apples"—or else to refrain from voting altogether; but should be allowed to exercise his political rights with the utmost liberty, by giving his support to any candidate elsewhere by whom he may prefer to be represented. Every candidate for whom a proper number of votes have been recorded should be elected. The number of voters who may fairly claim the right to return a Member depends on the number of Members to be returned, as compared with the total number of electors, or of actual voters in the country. Suppose, for example, we find by dividing the total number of voters by the total number of Members, that there is one Member to every, let us say, 4,000 voters, then every candidate who receives that number of votes, which has been called "the unit of representation," should be entitled to a seat. If, however, 4,000 votes be considered sufficient to elect a Member, no greater number should be counted for any candidate; otherwise the names of a few well-known and popular public men would obtain an enormous and unnecessary number of votes. If the superfluous voting papers were entirely rejected, these votes would be lost; to avoid this, the elector should be allowed to put on his voting paper some other names of candidates for whom his vote could be counted in the order in which they came, if it were not needed to make up the requisite quota for the first name. By these means every vote would be effective, and every elector, having his due share of political power, would be able to contribute to the election of the candidate of his choice. No one would any longer be nominally represented by a Member against whom he had voted, and from whose opinions he differed; all constituencies would be unanimous, and every minority worth taking into account would be represented in due proportion to its numbers. To secure all these advantages, the only thing the elector would have to do would be to put on his voting paper the name of his local candidate, or anyone else he pleased, and some other names in the order of preference to be used in case those at the head of the list did not require his aid. This is absolutely all the voter would have to do; and to speak of this as beyond the powers of the average British elector implies an estimate of his capacity not very flattering to the national intelligence. The only remaining process would be the sorting of the voting papers, and assigning each to the name written upon it, for which it ought to be counted. It does not require any extraordinary intelligence to understand that every voting paper is to be counted for the name first written upon it until the necessary quota of votes has been made up for that candidate, and he is elected; and that then a similar process is to be gone through for the other names in succession, until the election is completed. The duty of the scrutineers, in doing this, would, in fact, be a simple mechanical process far less difficult than what is done every day with accuracy and ease in the Post Office, the Banker's Clearing House, and a thousand places of business. This is substantially the whole of the proposal which Mr. Mill endeavoured to engraft on the Reform Bill of 1867, and a modified form of which was brought before the last Parliament embodied in the provisions of a Bill introduced by Mr. Walter Morrison. Every point of detail is entered into, and, I think, satisfactorily dealt with by Mr. Hare in his famous work on *The Election of Representatives.* I have simply tried to give a general outline of the proposal; but, in Mr. Hare's draft of an electoral law, the minutest particulars are carefully provided for. It is, however, by no means necessary to commit ourselves to the details of Mr. Hare's or any other plan. If the principle of independent Personal Representation were once accepted, it would be easy to appoint a Committee to inquire into and ascertain the manner in which it could most perfectly be applied. Those who assert that such a system is unworkable, have to encounter the simple fact that it has been actually tried, and found to work extremely well. This identical method was adopted so long ago as 1855, in the elections to the Danish Rigsraad, and the present Viceroy of India, who was then one of the Secretaries of Legation at Copenhagen, in his official Report of that date, bears conclusive testimony to the simple and satisfactory working of the electoral machinery. Since that time the same method of voting has been extended to all Parliamentary, municipal, and ecclesiastical elections in the Kingdom of Denmark. Unless, on the assumption of the very superior intelligence of Danes as compared with Englishmen, this evidence is really conclusive as regards the practical working of the system. Whenever the experiment has been tried, it has succeeded. In the election of the Governing Body in the Orange Society of New Jersey, in the nomination of the Board of Overseers, at Harvard University, at the Co-operative Congress at Bolton in 1872, where its adoption was suggested by Mr. Morrison; wherever, in fact, the system has had a trial, it has been found to work easily, expeditiously, and without the slightest hitch or difficulty of any kind. Apart from this positive evidence, which will have to be disposed of before the charge of impracticability can be maintained, I have no doubt that anyone who, with an unprejudiced mind, will take the trouble of going into the matter, and of examining the nature of the proposed process, will feel obliged to admit that if it should seem desirable on other grounds to adopt this plan, there would not be any practical difficulty in getting it to work. Should, however, any doubt of this kind remain, it could easily be solved by trying the system experimentally on any large city or group of boroughs. The objection will probably be raised, that to provide for the direct representation of minorities is unnecessary; because the representation of their opinions is indirectly but still effectually secured by the representation of those holding similar opinions elsewhere. The minority in a particular constituency, it may be said, may not enjoy direct representation; but their opinions are represented in other places where their Party is in a majority and is able to return the Member. This argument is based on the assumption that the number of localities in which any given opinions prevail is proportioned to the general prevalence of those opinions throughout the country. That this is not the case with anything approaching to completeness, the slightest reflection will show. And even if it were true, it would not do away with the evil of local minorities being without direct political power. It is not the fact that the opinions suppressed in one constituency are expressed in another. There might be some truth in this if nothing was to be thought of in public life but Party, and if all considerations of variety of opinion, of individual preference and personal feeling were to go for nothing, and Members were to be elected simply, so to speak, on one ticket or another, constituents being nothing but mere mechanical puppets worked by the machinery of hard Party organization. This view is certainly consistent with the choice of delegates for an American Presidential Election; but anything more oppposed to the free, ancient, and honourable character of the British House of Commons, it is impossible to imagine. By the exclusion of local minorities, we lose an important and useful element in our political system. Minorities in England are mainly composed of country Liberals and urban Conservatives—two classes which embrace some of the healthiest and most intelligent elements of their respective Parties—while they are conspicuously free from the extravagances of either. While the county elections that take place from time to time show how considerable in those constituencies is the Liberal minority, there are but, I think, 27 Liberals to 145 Conservatives among the 172 English County Members. The Liberals, who in most of the English counties are, practically, as completely excluded from representation as if they were altogether outside the pale of the Constitution, are not compensated for their condition of political nullity by the fact that large bodies of Conservatives in many towns are in a position of similar disadvantage. Two wrongs do not make a right; and those who argue as if they did, must suffer from the same confusion of ideas as the old gentleman who derived so much comfort from the reflection that in our Courts of Law justice must be fairly done on the whole; because, though a great many people who ought to be acquitted are found guilty, still a great many who ought to be found guilty are acquitted. Our country has need of all the varied elements of her national life, and the exclusion of any one of them is an evil. The true and generous policy is not to balance one evil against another; but, by a broad and just reform, to remove them both. Another objection urged against Personal Representation is, that it would destroy the local character of our electoral system. It is said, that if electors were allowed to vote outside their own constituencies, the special representation of places would be interfered with. I think it can be shown, that so far from being incompatible with our traditional method of local representation, the proportional system would carefully preserve everything that is good in it, giving the freest scope to all local feelings and interests, and providing the most effectual security for the due representation of the opinions of every locality. While, however, I fully admit that the distinctive features of local representation should be preserved, localism in politics is a principle which may easily be carried too far. Those who are acquainted with the internal politics of the United States are aware that extreme localism is one of the main causes of the inferiority of the House of Representatives in that country as compared with the Senate, the Members of which are elected from the area of a whole State. It is not the theory of our Constitution that Members are elected to represent merely the particular county or borough for which they take their seats. On the contrary, the principle that each Member of the House of Commons is deputed to serve not only for his constituents, but for the whole Kingdom, has been successfully asserted so far back as the reign of Elizabeth; and mark the distinction between our English Parliament and such deputations of the estates as were assembled in several Continental Kingdoms. Hallam says—

> "It is a principle to which the House of Commons is indebted for its weight and dignity, as well as its beneficial efficiency, and which none but the most servile worshippers of the populace are ever found to gainsay."

The local principle, to be healthy, should be liberal and elastic—it should not be an unnecessary restriction on electoral freedom. The individual independence of electors is perfectly consistent with the preservation of everything valuable in local representation; but the fetters of a rigidly local system are incompatible with freedom of personal action. When, by a perfectly free system, you allow the representation of all feelings and opinions, you effectually secure due weight for those local attachments and interests which are so strong a feature in the national character. Nothing could destroy the significance and efface the traditions of local representation so completely as the introduction of the American plan of equal and variable electoral districts, and in no way can the tendency of recent changes in the direction of electoral districts be so effectually counteracted as by the adoption of the proportional system. As a matter of fact, local majorities would generally, no doubt, prefer to vote for their local candidates; while the fact of their not being constrained to do so would produce greater care by Party managers in the selection of the best men as candidates. Local minorities, instead of being altogether excluded from political influence, would be able to contribute elsewhere to the election of Representatives after their own heart. Minority representation, it has also been said, would lead to the election of a number of persons representing special interests and peculiar opinions, and would interfere with legislation on broad principles for the general good. I am not aware that our present system has the effect of excluding persons afflicted with crotchets from the House. And, moreover, crotchets, provided they are held by a sufficient number of persons, ought to be represented. All new opinions are at first held by a minority, and are liable to be considered crotchets—for instance, such was for many years the fate of vote by Ballot. All new opinions should have a reasonable opportunity of being heard in Parliament; if they are absurd there is no place where their absurdity can more effectually be demonstrated. If they are new truths, their recognition as such, will be an advantage to society. Electoral independence also holds out the utmost inducement to persons who are so strongly possessed with one idea, that they are willing to devote all their political influence to its support, to look out for the best and ablest advocates for their views, and such men, as regards other questions, are likely to be above the average and to make generally useful Members. Then the proportional system would be a valuable guide in estimating the force and direction of opinion throughout the country. Petitions are notoriously a very imperfect index of public opinion; and, indeed, except on main Party issues, it is impossible to gauge accurately the state of the popular mind on any subject. A few voluble advocates in Parliament, and some noisy adherents out-of-doors, may give an entirely fictitious importance and an unreal appearance of popularity to some notion to which the common sense of the great majority of the nation is utterly opposed. It is necessary, as Burke says, to distinguish between the noisy and permanent forces of public opinion—

> "Because a few grasshoppers on a summers' day make the field ring with their importunate chirp, while great cattle chew the cud, and are silent, pray do not think that those who make the noise are the only inhabitants of the field; that, of course, they are many in number, or that, after all, they are more than the insignificant, though loud and troublesome, insects of the hour."

A scientific system of representation would not only be the best means of estimating the actual amount of support any question receives, it would also be a safeguard against those sudden and violent changes in the Parliamentary position of questions which occasionally take place without any corresponding alteration in the feeling of the country regarding them. The political position of every question would vary, not by leaps and bounds, but in direct proportion to the growth or decline of public opinion. I have attempted to meet by anticipation the objections which appeared to me most likely to be raised to my proposal, and I shall now state, as briefly as possible, the positive grounds on which I ask the support of the House. I appeal to those who hold the democratic theory of representation to support this Motion as a legitimate and necessary deduction from their own principles. The true principle of democracy is the government of the people by the whole people equally represented, not the government of the people by a majority of the people exclusively represented. The tyranny of a majority may be just as adverse to freedom as the tyranny of an individual or of an oligarchy. No one but a demagogue of the lowest type could wish to place all power in the hands of one class, however numerous its members might be, and to deprive all other classes of even the power of making their opinions heard; yet this, as I shall presently show, will be the inevitable consequence of mere majority representation, combined with the changes in our political system which have either actually taken place, or are looming in the not distant future. It is not, however, by theoretical considerations that we are generally influenced in modifying our institutions, and it is not on such grounds that I wish to appeal to the House. We are, wisely as I admit, not given to troubling ourselves much about the theoretical perfection of our institutions provided they do well the work for which we intend them. The words used by Lord Russell 30 years ago still express the general feeling on this point. That eminent statesman said—

> "In my opinion, that which not only every man of full age, but the whole population of the Kingdom, have a right to, is the best government and the best kind of representation which it is possible for legislation to give them. The main object of our institutions is good government and the welfare of the people, and we ought not, for the sake of some abstract principle, to lose sight of that great object."

It is not as an attempt to re-model our Representative system on the basis of a theoretical perfection that I hope to commend my proposal to the favour of the House, although I am able to claim for it the unquestionable advantage of an almost ideal degree of theoretic completeness; but I urge it as a practical effort to improve our electoral machinery, to widen the influence and raise the character of Parliament, and to create a safeguard against dangers attendant upon the changes, both actual and imminent, in the political condition of the country. Who can tell how long it may be possible to provide such a safeguard? The change that has taken place of late years in our political system is a great fact, and the consequences likely to follow from that change deserve the most serious consideration. An exclusive devotion to theory is, no doubt, an evil; but, on the other hand, there is such a thing as being too completely engrossed with the present to look far enough a-head and to make adequate provision for the future. Let us beware lest there be some truth in those "famous prophetic pictures," spoken of by Stillingfleet, "which represent the fate of England by a mole, a creature blind and busy, continually working underground." An eminent writer of the day has spoken of what he calls "The Revolution of 1867." I do not adopt all the conclusions, or share to the full extent the gloomy forebodings, of the modern Cassandra; but the wisdom of her lesson cannot be disputed—that, having left the old paths, we are bound to look carefully before us, and to take every possible precaution in the untried and perilous ways we have to tread. The revolution alluded to is the transfer of electoral preponderance, or, in other words, of supreme political power from capital to labour, from the propertied to the wage-receiving class. That this transfer has potentially, if not actually, taken place, hardly anyone, I imagine, will venture to deny. The establishment of household suffrage in boroughs has, as a matter of fact, actually placed the supreme control of the borough representation of England and Scotland in the hands of the class of persons who depend on manual labour for their daily bread. The adoption of secret voting has put an end—justly and properly, as I think—to any control which might formerly have been exercised over these persons by landlords or employers. More than this, the establishment of household franchise in counties is, I think I may venture to say, felt to be only a question of time. This question, which we have recently discussed, is one to which I shall make the barest allusion in passing, and only in so far as is strictly necessary for the purposes of my argument, and I shall avoid, of course, all reference to the recent debate. I may, however, be permitted to say that, in my opinion, it is perfectly evident that it will not be possible much longer to maintain an arbitrary distinction founded on no difference of circumstances, position, or intelligence; but depending merely on the artificial boundaries of existing constituencies. No class of householders—perhaps I might say of the population—will consent to remain permanently outside the pale of the Constitution. The forces which are working for their admission are too strong to be resisted. Many of us must remember the remarkable speech made three or four years ago by one whose observations on the subject had all the authority of special knowledge. I am speaking of my hon. Friend the Member for Morpeth (Mr. Burt), who told us that he had heard a great deal about the danger of admitting so large a number of comparatively uneducated men to the franchise; but that he believed the greater danger lay in excluding them, and that nothing was doing more to alienate the sympathies and the affections of the best and most intelligent of the working classes than those invidious and unnecessary distinctions founded on no principle of reason or common sense. I entirely agree with my hon. Friend; but it does not follow that because I recognize with him the danger and the difficulty—I will even say the impossibility—of maintaining a restricted and unequal franchise, I should be blind to the evils which may—and, if we do not guard against them, assuredly will—result from the extension of the suffrage. We must remember, also, that all these changes are no mere experiments. Every step we take in the direction of a more popular franchise is absolutely irrevocable. I do not think there is any instance in history where political power has been given to the masses, and afterwards taken away from them, without violence and revolution. The democratic extension of the franchise must go on; there is no power in the country that can stop it now. We have admitted the petty shopkeepers, the tradesmen, and the artizans in the Parliamentary boroughs. How can we keep out the large mass of precisely similar population which happens to reside beyond the existing borough boundaries? We shall have to admit in their thousands—

"Those who toil in mines, and never see the sun."

My hon. Friend the Member for the

Border Boroughs (Mr. Trevelyan) pleads annually for the hedger, the shepherd, and the ploughman. The agricultural population, described a few years ago by Mr. Cobden, as that mute and helpless multitude who have never made their voices heard in the din of politics, or their presence felt in any social movement, are already clamouring to be let in. In a few years all these persons will possess the suffrage; and, for my part, I think it is a grand thing to establish our institutions on as broad a basis of popular consent as possible, and to exclude no class of our countrymen from a voice in the government of their country. But are we not in danger, as we are going on at present, of doing something more than this — of doing something, in fact, altogether different? Are we not in danger of giving to the previously-excluded classes not merely a voice in the Government, but the absolute and and exclusive control of the Government —so far, at all events, as complete possession of the House of Commons would give that control? This matter is as simple as it is serious. It has been estimated with, at all events, sufficient accuracy for our purpose, that there are in the United Kingdom about 8,000,000 of persons who hold realized property of some sort, and 24,000,000 who possess no property, but subsist by manual labour. Taking the householders among the 8,000,000 at one in four, and the householders among the 24,000,000 at one in five, an assimilated franchise would give us about 5,000,000 of poor electors as compared with 2,000,000 of well-to-do electors. But our present system of majority representation would not only give the 5,000,000 poor electors a proportionate majority of representation; but would shut out every other class altogether, and put the whole representation practically and virtually into the hands of the numerical majority. Nothing could prevent this but the want of combination among the poorer electors, and the anomalous character of the present distribution of electoral power. Who can say how soon some class question of a social nature may not unite these scattered ranks? Some think they can discover already on the distant horizon the little cloud no bigger than a man's hand which forbodes such a combination. As regards the inequalities in the electoral system, it is easy to see that they cannot be permanent. Already they are felt to be out of harmony with the spirit of the time, and the next extension of the franchise will necessarily be accompanied by a wide measure of re-distribution of seats. For several Sessions past both these questions have been made the subject of a common Motion, and been largely supported. While the heterogeneous nature of our electoral distribution cannot be maintained, with it will disappear the last security for the varied character of our Representative system. The present Prime Minister, in, I think, his last speech on the subject of representation in this House, said that all our late legislation for the last 40 years, with respect to Parliamentary Reform, has been leading to electoral districts. It is impossible, he told us, not to see that with the re-distribution of political power we must, to a great extent, be approaching electoral districts. Now, electoral districts would utterly destroy that variety which is one of the best features of our political system, and which all our greatest statesmen have been anxious to maintain. Everything would be reduced to a dead level—a dull uniformity—and what sort of uniformity would it be? With equal electoral districts, unaccompanied by any protection for the rights of minorities, the poorest and least educated portion of the electoral body, being the numerical majority in every constituency, would be able to return all the Members, and absolutely to exclude those who differed from them from any share in the representation. Their power to do this would be undoubted—their exercise of the power would be only a question of time and accident. The fact is, we are called upon to adapt our political methods to a state of things entirely different from what has ever before existed in the history of the country. Formerly, political power was in the hands of the aristocracy; then it was in the hands of the middle and upper classes—it soon will be altogether, and for the first time, in the hands of the masses. As an eminent Member of the House, whom I am glad to see in his place, has said—"We cannot prevent numbers ruling, we can only hope to persuade them to rule well." There is no graver political problem than how this can best be done. In such circumstances as these, what can be more unreasonable than summarily to reject a proposition because it is new, or because it is said to be un-English, whatever that expression may mean. Why, the circumstances with which we have to deal are altogether new, and our whole political condition may be called un-English, if by that be meant, previously unknown in the history and experience of the English people. The words of old Sergeant Maynard were not more applicable 200 years ago than they are now—

> "We are at this moment out of the beaten path. If, therefore, we are determined to move only in that path, we cannot move at all. A man in a revolution, resolving to do nothing which is not strictly according to established form, resembles a man who has lost himself in the wilderness, and who stands crying—'Where is the King's highway? I will walk nowhere but on the King's highway.' In a wilderness a man should take the track which will carry him home. In a revolution we must have regard to the highest law, the safety of the State. . . . The old order changeth, giving place to new."

Everything around us has altered. Toryism itself has been defined "an adaptation of dynasticism, privilege, and orthodoxy to the spirit of the age." The true test to apply to any proposal is, does it suit the conditions of the time, will it help us to avert or mitigate the dangers, or to enjoy more fully the benefits, of the circumstances which surround us? It is not the least of the advantages of Proportional Representation, that while there is nothing of a re-actionary character about it, it is peculiarly calculated to mitigate the evils, and to counteract the dangers, attendant upon a wide and indiscriminate extension of the franchise. The evils of an extremely democratic franchise are of two kinds—the danger of a low grade of intelligence in the electoral body, and, consequently, in the Representatives chosen by them, and the danger of class legislation, the Legislature being altogether in the hands of one class—that, namely, which is lowest in the social scale. As regards the second of these perils, the will of the majority must, no doubt, in a popular Government, ultimately prevail; but the minority should not be condemned to obliteration—they are, at least, entitled to influence in proportion to their numbers, and their opinions should be heard in the Councils of the Nation. These rights can only be secured to them by some form of minority representation. The "restricted vote," originally proposed by Lord Russell in 1854, and introduced by the House of Lords into the Reform Act of 1867, is a step in this direction. The area of its operation, however, is very partial, and even in the few "three-cornered" constituencies it has given us, I am told that a skilful organization of the majority may deprive of representation a minority considerably more in number than a third of the electors. Then there is the cumulative vote, of which we have so much experience in school board elections; and which, I believe, has been found to work well on the whole, though it is said to be susceptible of organization, and open to considerable uncertainty and waste of electoral energy. Both these devices for securing the representation of minorities have been well described as empirical, as compared with the scientific or proportional system. This last is, in fact, the only method by which the rights of minorities can be effectually secured, and their due share of electoral influence preserved upon grounds absolutely unassailable on even the most democratic theory of government. The tendency of the extension of the franchise to lower the average intelligence of constituencies is indisputable. Every fresh Reform Bill admits a number of persons who are, from the necessity of their position, less educated and with fewer means of acquiring information than the old electors, whose influence is swamped by their numbers. I am far from questioning the patriotism, or the intelligence, or the virtues, of the working classes. I believe there are many men amongst them who belong to the finest type of humanity; but there can be no doubt that, as a general rule, men who are employed at hard manual labour constantly from morning till night, cannot have the same knowledge and acquaintance with affairs as those who have leisure for reading and reflection, who enjoy varied social intercourse, and whose general occupations are of an intellectual character. Still, it is to those who, by no fault indeed of their own, but from the very nature of the case, have the least amount of political information, as well as the smallest degree of social influence, that we are about to entrust the power of electing, not merely the majority, but practically the whole body, of the House of Commons—the great centre of Legislative authority, and the ultimate resort of the Executive Government of the Empire. Those who differ from the majority will not have even an opportunity of stating their opinions. What security have we that those to whom we are giving this tremendous power will know how to use it well? The task of government has been truly said to need the best wisdom and the best virtue of the nation. Can we depend upon the least informed, the most poorly instructed, of our people to be always able to discern, and willing to prefer this best wisdom and best virtue? Education can only reach the masses slowly and imperfectly at best. Is there no danger that ignorant and toiling men will sometimes fail to rightly estimate even the main and broad issues submitted to their decision? Can we expect them to be always able to separate the statesman from the demagogue, and to distinguish the wisdom which would remedy evils at their source from the folly which wastes itself in vain contention with mere external symptoms? Is there no fear that in the hard struggle of life, with the pressure of common needs and cares constantly upon them they will sometimes prefer immediate and individual advantage to remote and general good? Is there no danger that the stern and salutary teaching of economic science will have less attraction in their eyes than the tawdry and deceptive glitter of a sentimental philanthropy? The fact is notorious that the working men of America permit the maintenance of protective duties, which impose an enormous tax upon consumers and greatly add to the expense of living, in order that their employers may be able to pay them higher wages. Is there no reason to apprehend that the working classes in this country might adopt theories of taxation which would soon make the commercial and manufacturing supremacy of England a thing of the past; or to fear that uneducated men, failing to solve that most difficult and delicate of political problems—to draw correctly the line which divides those cases where it is the duty of the State to interfere from those cases where State interference could only aggravate the evils it attempted to remedy—might insist on a prying and meddlesome system of government, which would cramp and fetter the freedom of individual action; and in the effort to remove evils and hardships, grievous indeed, and hard to bear, but beyond the reach of Legislation, strike a fatal blow at the prosperity of the country which would fall, in the end, with unsparing severity on none more heavily than on the working classes themselves? Might it not come to pass that those who foresaw these things, and, seeking the good of the country by adherence to sound and wholesome principles, refused to captivate the ignorant and discontented by showy arts and reckless promises, would find themselves at the tribunal of popular election in the position of Socrates brought to trial before the Athenians?—"like a physician arraigned by the maker of sweetmeats before a jury of children." How, then, would the adoption of personal representation affect this state of things? It would not, indeed, deprive the majority of the electoral body of their right to a majority of the representation; but it would make it impossible for any one class to monopolize the representation, and it would effectually protect the cultivated and educated minority from the danger of exclusion. The better opinion would always be able to make itself heard, and every crude and mischievous theory would be submitted to the independent examination and criticism of competent minds. Fair discussion would be guaranteed, and for the rest we would have to rely—as I believe we might rely with confidence and security—on the fundamental good sense of the nation. It is one thing to allow the will of the majority of Parliament, carefully formed and clearly expressed, after full and fair discussion, to decide the fate of measures—it is a very different thing to allow the numerical majority of electors in every district to silence all opposition at the polling-booths, and to exclude those who differ from them from having any voice in the National Legislature. It is not amid the clamour of a fierce agitation for the extension of the franchise, or in the din of Party warfare, that a proposal like this, which appeals not to political passion or partizan zeal, but to the calm and deliberate judgment of sober-minded men, can be expected to prevail or even to obtain a hearing. Exclusive representation given to the numerical majority can never be taken away after they have once learned to use its power. It is still possible to temper our reforms with intelligence. Who can tell how brief the opportunity may be? We are floating calmly at this moment in a local backstream of Conservative re-action; but active and permanent forces in the life of the nation are constantly at work, which ere long will bear us onwards more rapidly than ever towards the ultimate triumph of democratic principles. Surely it is our duty now, using wisely the present interval of comparative calm, to consider and to apply, while yet there is time, the best safeguards which prudence and wisdom can suggest. I have not treated this proposal as a Party question, but I have endeavoured to show that it is consistent with everything that is best in both Parties. It is a legitimate and necessary deduction from the fundamental principles of Liberalism which demand the fair and equal representation of the whole people. It provides the most thorough and practicable remedy for those evils which Conservatism especially dreads—the extinction of variety in the representation, the exclusion of rank, wealth, and culture from public life, and the absolute supremacy of the most numerous class. There is another ground on which I can appeal with equal confidence to Conservatives and to Liberals; it is that the adoption of this system would tend to maintain and promote the dignity, honour, and influence of the House of Commons. The more perfectly the House is felt to be a true reflex and mirror of the nation, the greater will be its weight and authority. Proportional Representation would not only enable a much larger number of electors to be directly represented, but all electors would be represented with an accuracy and fidelity absolutely impossible at present. Every Member would be in a position to speak for a body of independent and unanimous electors, who had chosen him, above all others, to represent them. Every electoral body would be a combination of persons really united in sympathy and opinion; where union would be a living and active bond, not "the forced and outward harmony of cold, neutral, and inwardly-divided minds." No writer of the future would venture to compare "the independent constituency," where every man's action depends, not upon himself, but oftenest on those to whom of all others he would be least willing to trust either his honour or his property, with that sad sight called "the happy family," exhibited by the showman in the street, where every freeborn instinct is quelled, and nothing is left but the melancholy spectacle of subdued and torpid natures. Then, again, the inevitable tendency of a lowering of the average knowledge and intelligence of the electoral body to lower the average wisdom and character of the Representatives that body will return, would be counteracted by the power given to cultivated and enlightened minorities all over the country to combine and elect the best men they could find. It may not be desirable that the House should be composed altogether of philosophers, or, as it might be put, that everyone should be excluded who is not sufficiently learned to have lost his common sense; but still, it would be a great misfortune if the more original and independent minds in the country were to find no place amongst us. The iron weight of Party crushing out individuality of thought and independence of action keeps them away, so also does the growing influence of local wealth and popularity, making it almost impossible for men of intellect and culture without these adventitious aids to get seats. The right hon. Gentleman the Member for Greenwich (Mr. Gladstone) has recently said that, in considering the qualifications which attract the favour of constituencies, the two circumstances which strike him most forcibly and most painfully are—first, the rapid and constant advance of the money power; secondly, the reduction almost to zero of the chances of entrance in Parliament for men who have nothing to rely upon but their talent and their character—nothing, that is to say, but the two qualities which, certainly, stand before all others in the capacity of rendering service to the country. It is a serious thing to find a man of the high order of intellect of Mr. Goldwin Smith calmly writing—

> "Those who wish to deal frankly and fearlessly with the great political problems which are looming in the immediate future will probably, for the most part, find a more appropriate sphere outside the House of Commons. In the House itself it is hardly possible at best to secure a seat without compliances and compromises very adverse to freedom of speculation, besides the difficulty of contending against the

tremendous power which wealth and social influence can bring to bear on the constituencies once in every seven years."

If you make it next to impossible for the highest talent of the country to get into the House, the inevitable result will be the decadence of the House itself. Already there are not wanting indications that less interest is taken in our proceedings than formerly. Newspapers, whose business it is to understand and gratify the popular taste, give every year more scanty reports of our debates. Notwithstanding the greater breadth of its electoral basis, I am afraid it cannot be denied that the position of the House—I do not speak of it as a Legislative machine, but as an exponent and guide of public opinion—is not what it once has been. If its position be further weakened by the exclusion of fresh and original thought, and the consequent low level of our discussions, as contrasted with the widening influence of periodical literature and the growth of a sort of extra-Parliamentary statesmanship, the result cannot fail to be highly injurious to the prestige and dignity of the House, and, in the end, to the welfare of the nation. I can conceive no way of preventing this more likely to be effectual than by enabling a number of men of more than local eminence, but without the aid of local wealth and connection, to be returned to Parliament, independently of mere local or Party considerations, by the aid of those with whom they have intellectual and political sympathy. The freedom and independence of public men would also, by these means, be promoted. The country would no longer be in danger of being deprived of the services of an eminent statesman by the prejudice of a single constituency or the jealousy of a local faction. Every tried and well-known man would be able to appeal to a wider circle outside the limits of a particular county or borough; continuance in public life being thus practically certain for everyone who had made his mark, a political career would hold out far greater inducements to men of talent, and political training would become more careful and definite. What we have to do is to follow the wisdom of our ancestors, and, as they did, to adapt and modify our political system according to the circumstances of the time. To assume that the electoral system, which was suitable before the first Reform Bill, is necessarily suitable now, when our political condition has been completely changed, is not more reasonable than to conclude that the complicated processes of manufacture which modern science has introduced do not require more elaborate machinery than the simple methods of by-gone days. Except on the ground of personal deficiency, I do not feel that I have any apology to make for bringing forward this question. Believing, as I do, that this is the greatest improvement which our Representative system is capable of receiving, I cannot feel that any other subject is more worthy to occupy the attention of the House. Much of our time is taken up in the discussion of trivial and petty matters. This, at all events, is a question of high policy, involving considerations of national importance. It is an effort, however humble, to contribute to the solution of the great problem—how to reconcile the rapid and resistless advance of democratic principles, with the preservation of the rights and liberties of every class of the people. I advocate this proposal as a measure of justice to all, and especially to those who are weak and in danger of being overborne. A safeguard equally against popular passion and oligarchic re-action, I believe it would make this House, in the truest sense, representative of the national intelligence. Whatever may be the fate of my Motion to-night, I shall still cherish the hope that the country which justly bears the proud title of "The Mother of Parliaments," will yet place this crowning pinnacle on the glorious edifice she has raised; and that we shall hand down to future times, with its ancient dignity unimpaired, its basis of popular assent enlarged and perfected, its Constitution renewed with fresh life and vigour; that noble creation of the spirit of liberty—the type and model of all the Representative institutions now meeting in the Old World and in the New—the Free Parliament of England.

MR. COURTNEY seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable that the whole electoral body should be enabled to enjoy that direct representation which is at present confined to majorities:

"That no effectual security exists for the due representation of minorities:

"And that, as far as possible, all opinions should have an opportunity of being represented in direct proportion to the number of electors by whom they are held,"—(*Mr. Blennerhassett,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. BALFOUR said, that the hon. Member who had just sat down had submitted to the House an abstract Resolution as to the manner in which a measure of reform should be carried out. Well, his hon. Friend the Member for the Border Boroughs (Mr. Trevelyan) had brought in a Reform Bill the other day, and it was thrown out by a large majority. They were, therefore, in this position — that immediately after the House had decided not to do anything at all in the way of reform, the hon. Member told them how it ought to be done. They had hardly refused the poison when the hon. Member suggested an antidote. If he were asked whether he thought the time would never come when the question of reform would be brought forward with a prospect of its being carried, he should be far from saying that such was his opinion; but he hoped the day would be a distant one, and the chances of a future Reform Bill scarcely justified the introduction, at this moment, of the question raised by the hon. Member. He must say, however, he sympathized with a good deal the hon. Member had said, although he dealt a good deal with the abstract arguments which were the bane of all discussions on the subject of reform. The hon. Member said that minorities as well as majorities had a right to be represented, and that that right could only be secured to them by the scheme which he advocated. Well, he could not but think that "rights" was an expression belonging to a terminology which ought to be excluded from reform debates. It was not a question of right, but rather one of expediency they were considering. The question was how best they could get good and efficient machinery for the carrying on of the legislative and executive Business of the House of Commons; and in that view he saw something to recommend—not the scheme of Mr. Hare, but some modification of it. It was clear that by the representation of minorities certain dangers would be avoided which arose from the fact that it occasionally happened that some wave of opinion tended to move the majorities in all the constituencies violently in one direction at the same time. There were many such cases in history. The result would be that this House would not only represent the majority in the country, but represent the majority in a very aggravated form. If the House were to carry a large measure of reform, such as was contemplated by hon. Gentlemen opposite, there was a danger that the General Election might turn on some question on which there was a difference of opinion between the educated and the uneducated classes of the community. The former would vote one way in such a case and the latter the other; and it was obvious that, without minority representation, the educated, and, therefore, the most valuable portion of the constituencies, would have no voice in the House of Commons. Again, constituencies were subject to waves of popular passion and feeling, and that would be more and more the case as the suffrage was extended; and that passion or feeling was not confined to one class, but was to be found in all classes. The minority, under these circumstances, would not be the educated as against the uneducated, but the people who kept their heads as against those who did not keep their heads. Well, in such a case it was but right that those cool and calm people should be able to express their opinions in the country and in the House. Another advantage he saw arising from some kind of minority representation arose from the difficulty that was felt in getting efficient and desirable persons into the House unless they were favoured by circumstances. It could not be denied that the persons most likely to be effective in their debates were not always the persons most likely to sit there. It might be that a man, from some fault of manner, or because some prominent opinion of his happened to be unpopular, but who had nevertheless been respected in the House, and who had justly had weight and authority there, would not be able to find a constituency willing to accept him. It would assuredly be an advantage if some means could be devised to secure that he should not be excluded from the House. He had pointed out the chief reasons which induced him to look favourably on the Resolution of the hon. Gentleman; but he trusted the hon. Member would content himself with the discussion which he had raised; and he assured him that when the time arrived for the consideration of the question of reform, if he brought forward a scheme for the representation of minorities, it should receive his support; though he earnestly hoped that the time when such support would be necessary was very far off indeed.

Mr. COURTNEY supported the Resolution of his hon. Friend, because it could be demonstrated that our system of representation as it existed was full of defects which they ought to be able to remove. A great defect of the present machinery was that it failed to answer the first use to which they designed to put it. They could not arrive with certainty at a conclusion as to the opinion of the country even on a single issue placed before it. A General Election, he ventured to say, did not give them any sure answer to an appeal so made. If they had a certain number of electors throughout the Kingdom, and appealed to them by the *plébiscite* of French experience on a certain issue, they might get an answer in one way; while, if the appeal was made to divided constituencies, the answer might be the other way. They had, thus far, no security that by an appeal to the constituencies they would obtain the answer of the nation. Suppose there were 10 constituencies of 1,000 electors each, there would be 10,000 electors to consult. If they appealed to them as one constituency of 10,000, they might have 6,000 one way and 4,000 the other as the result. If they divided them into separate constituencies, the result could easily be very different. Out of the minority of 4,000 there might be found 550 in each of seven constituencies, and the remaining 150 in the remaining three; so that the minority could secure seven seats out of 10. As an illustration of practical importance bearing on this question, he would take the county of Lancaster, which, at the General Election of 1868, returned 22 Conservative and only 11 Liberal Members. Yet, on that occasion, 104,000 Liberal electors recorded their votes in Lancashire constituencies, while the number of Conservative electors who went to the poll was only 102,000. There was an example in point. Although Lancashire was a Liberal county, the result of the Election was that the Conservatives had a large majority of Members. That arose greatly from the congestion of Liberal electors in one constituency—namely, Manchester; and it was obvious that a similar failure to obtain the real opinion of the electorate might happen on an appeal to the constituencies of the Kingdom. The next fault of the present electoral system was that the number of Members elected was almost always disproportioned to the actual opinions of the country. If, for example, in the supposed case of 10 constituencies, each with 1,000 electors, the majority were equally diffused throughout them, the result of an election would show 10 Members on one side and none on the other. Another difficulty in their electoral system was this—that since those elected represented the majority only of the country, and the governing power in Parliament was exercised by a majority of those elected, this governing power was exercised by the majority of a majority, which would represent only the minority in the country. Their system failed again in the exclusion of large classes, who were unrepresented. The present Prime Minister, once introducing a Reform Bill, alluded to the fact that a large and influential body in England, Wales, and Scotland were unrepresented, except by the noble Lord the Member for Arundel, who had since disappeared because the borough of Arundel had disappeared. The right hon. Gentleman was referring, of course, to the Roman Catholics, who, although they were 1,000,000 and upwards in number, could not get—and could not hope to get—a single seat in England, Wales, or Scotland. They were driven to Ireland, where they obtained Parliamentary representation; but there were differences between Irish and English Roman Catholics, and he should like to see the latter directly represented in that House. Again, the working classes *par excellence* had for a long time no representation in that House, and even now they only had a small, though it was a most excellent, representation.

Among the working classes in recent times no man had been more popular than the late George Odger, who was unable to get a majority of the voters in any constituency to return him, although a large majority of the working men throughout the country would gladly have sent him to speak for them in the House of Commons. Take, again, the case of the late Mr. John Stuart Mill. There were in the country large numbers of persons who would have been glad to see him in the House, and yet, after he lost his seat for Westminster, there was not one constituency which Mr. Mill could have canvassed with any chance of success. [Major NOLAN: Tipperary.] Possibly Mr. Mill might have been returned for Tipperary if he had pledged himself to denominational education, to which, as everybody knew, he was altogether opposed. There was another class of men who were excluded from the House under the present system. His hon. Friend had spoken of the large number of Conservatives and the small number of Liberal Members who sat for counties. He had always regretted that, in the discussions on the Reform Bill in 1867, so many of our counties were trisected, in order to supplement the county representation by the addition of Members for certain divisions. Great uncertainty prevailed as to the consequences of that step; but the additions to these electoral divisions had turned out to be strongly Conservative. What was the result? In the 10 counties so divided there were—Cheshire, six Conservatives; Derbyshire, three, and three Liberals; Devon, five, and one Liberal; Essex, six; Kent, six; Lincolnshire, six; Lancashire, eight; Norfolk, six; Surrey, six; Somerset, six; Stafford, five, and one Liberal; and the West Riding, four, and two Liberals; making an aggregate of 67 Conservatives and seven Liberals. If they had gone on the three-cornered plan, the result would still have been two to one; but that would have been a fair representation of the minorities, and, in his opinion, a course far preferable to the one adopted. He referred to this subject as showing the danger, by the course we had hitherto followed, of excluding from the House the Liberal county gentlemen, a class of the highest importance. By suppressing county Liberals in the House, they did not suppress such Liberals in the county; but they lost in the House the best conceivable connecting link between the extreme and the moderate Liberal sections. If this House were to go on acting with dignity, knowledge, and good fellowship between its different Members, they would avoid, above all things, the division of the House into two hostile camps such as they saw in France, and should endeavour to carry out the system of gradually filing off from the extreme Left to the extreme Right. Another way in which their system worked injuriously was that it did not provide sufficiently for divisions of Party. On the Liberal side there were, perhaps, divisions enough, but that was not the case on the other side; and although there were many forms of Conservatism in the country, these differences were not manifested, and were not represented in the House of Commons. He would best explain his meaning by an historical illustration. It was now confessed that Conservatism had no necessary connection with the doctrines of Protection; in fact, in some of their Colonies the doctrines of Protection were part of the Liberal creed. At the time the question was agitated, there were Conservatives opposed to Protection in the country; but no county would return them to the House. The present system affected the character of the House and also of the people outside it. When a candidate contested a popular constituency, the greatest art was required not to offend anybody by some chance expression of opinion. The best candidate was the man least encumbered by independent opinions—the man who had no genius, no originality, no force of character. The best candidate was a Liberal gentleman, who had made himself rich in the pursuit of commerce and had lived a life of good repute among his neighbours. Hence the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) recently complained of the tendency of the House of Commons to plutocracy and gerontocracy. The more they turned the constituencies of England into large and populous constituencies the more they increased this danger. Hence it was that they found what was so much to be deplored—that young men full of enthusiasm in the beginning of public life became in the end alienated from public life altogether.

The hon. Member for Kerry (Mr. Blennerhassett) had explained the particular principle on which he would have the representation of the country mended. For himself, he might look forward to the hon. Gentleman's scheme as a thing to be realized in the far distant future; he had no idea that anything of the kind could be submitted as a practical proposal in the present generation. But things could be done in a near and proximate time which might remove many of the present defects, and pave the way to larger schemes hereafter. They had seen the introduction of means to secure the representation of minorities in the Bill of 1867. The aim to which they should direct their attention was to give the minority in a constituency, if of sufficient importance, power to club their votes together so as to have a direct Representative. Thus, if they had a constituency with five or six Representatives, a fifth or a sixth of the constituency might be able to club their votes for a Representative of their own. In that way, the want of men of genius which the right hon. Gentleman the Member for Greenwich so much lamented would be repaired. In connection with the discussion which had lately arisen between the right hon. Gentleman the Member for Greenwich and the right hon. Gentleman the Member for the University of London, someone had advised the right hon. Gentleman the Member for the University of London not to repeat the error of 1867, but to use all his energies to get minorities represented. The right hon. Gentleman said, in effect, that it was useless to do anything; that in 1867 he proposed the adoption of the cumulative vote, and it was rejected; that they were going to enthrone democracy; and that it would sweep away any such plan when it had the power. The right hon. Gentleman, however, was too despondent. It was quite true that in 1867 the cumulative vote was rejected; but did the right hon. Gentleman fail after all? Not at all. When the Reform Bill went up to the other House, the restrictive vote was introduced into it by the present Lord Chancellor, who made use, in support of it, of the very arguments which had been employed in support of the cumulative vote. True, the cumulative vote was lost; but the restrictive vote was passed by the House of Lords and accepted by that House, mainly through the effect of the discussions that had been previously raised on the cumulative vote, and the right hon. Member for the University of London might say—"Alone I did it." That was not all. When the Reformed Parliament met, what happened? One of the very first things that occurred was the attempt to repeal the clause restricting votes in the three-cornered constituencies. The Government of the day used its influence as much as it could to get it repealed; but even the reformed House refused to repeal it. More than that; in the reformed House one of the first things it did was to pass an Education Act. It became necessary to create school boards, and it was resolved in Committee that in the election of members of school boards the cumulative vote should be adopted. Again, he said the success of that proposal was due entirely to what had been done by his right hon Friend. The next year, when the Scotch Bill was introduced, the cumulative vote was part of the Bill itself; so that year after year their efforts had succeeded, and he was now full of hope that when a Reform Bill again came before the House something in the shape of the representation of minorities would form part of it. Of all the provisions of the Education Act, the adoption of the cumulative vote was the one that could not be reversed. Nor did he think that democracy so enthroned would repeal what had been done. The House within itself was a pure democracy. Every man in the House was as good as any other man. Where were there such protections to minority? Where were the provisions for the protection of minorities so jealously protected? It was quite true that the Birmingham Confederation had agreed to a resolution condemning all modes of securing the representation of minorities; but they were wise in their generation, for they knew perfectly well that that principle would eventually be accepted, and that it would entirely destroy their power; and, for his part, he would greatly rejoice if it did limit and destroy the power of the Birmingham Confederation. He could not conceive how any person who had any knowledge of the caucus system in the United States could look at the growth of that Confederation with any other feelings than those of apprehension. Its object was to repress local feeling, local energy, and independence; and it sent forth its orders over the land by means of a great machinery and organization of the most frightful and alarming character. But he was satisfied those who were in favour of the representation of minorities would win. There was one other argument to which he would refer. Hitherto his illustrations had been derived, as far as possible, from the past; but the experience of the last few years, and especially of the last two years, seemed to deserve some comment. They were often told that the tide of democracy would ere long come upon them; but it had already come, and they were floundering in the middle of it. What had been the history of legislation and of public opinion during the last few years but the history of government by impulsive, varying, unsteady opinion? Ever since this Parliament had been called together they had had, time after time, exhibitions of currents of opinion running now in one direction, now in another; not in consequence of the dictates of prudence and reason, but because some sentiment, feeling, or passion had for the moment taken possession of the public mind. They all remembered the exhibition made in that House by the hon. Member for Derby (Mr. Plimsoll), who was excited by the failure of a particular Bill. Great public meetings were held; the Bill, which had been withdrawn, was re-introduced in a modified form, and the Prime Minister at the Mansion House gloried in the excitement, saying it was the very thing the Government desired in order to stimulate the passing of the measure. It was certainly rather portentous when the legislation of that House could be acted upon in that way. Next year there was again considerable excitement and alarm out-of-doors that the Government was going to uphold slavery throughout the world. The Government had not really altered the policy of the country—it had only issued a Slave Circular, identical with the Instructions which had for many years been issued to naval officers on foreign service; but the Circular was condemned at public meetings, and it had to be withdrawn; a second Circular was issued, and also withdrawn. He did not say whether the action which had ultimately been taken was right or wrong; but that action should be taken in that way did show danger against which they ought to guard. Again, within the last 18 months—he spoke only of facts—they had seen the people inflamed with feeling on one side of the Eastern Question, and the Government, feeling themselves in a minority, changed their action. They had since seen the people inflamed with another opinion, and again the Government action was moved thereby. There had been deputations to Members of that House; but he wanted to know what was the difference between the deputation headed by Mr. De Morgan, which waited on the hon. Member for Peterborough (Mr. Whalley) on behalf of the Claimant, and that which came to the Prime Minister, though headed by the Lord Mayor? The influence of the democracy of the present moment, therefore, should make people reflect; and when he looked back upon what had happened in the last 18 months, he felt thankful, indeed, that all danger of war seemed to have passed away. The Government would have entered into war with an outburst of popular enthusiasm; but they would have been exceedingly lucky if, at the end of 12 months, they had not found themselves the subjects of distrust and scorn. Looking at the past perturbations of popular passion, who could say what next would be assailed and who could foretell the result? In supporting the Motion of his hon. Friend, he thought, at all events, they were free from the imputation of not dealing with something real, solid, and substantial. The object of the Motion was to make the House a more, and not less, faithful reflection of the people of the country, by retaining within it men the tenure of whose seats should not depend upon the fluctuating views of chance constituencies; it was to secure that there, at all events, should be a refuge for truth, where a man might speak what he thought, let a thousand or ten thousand withstand him; it was to secure that the Government of this country should be stable and orderly, while reconciling complete emancipation with the conservation of all that had made the country great, noble, and dignified in the past. It was in a Conservative as well as a Liberal spirit they desired to see all persons identified with the Government; and it was only by thus clinging to the traditions of the past that they might look forward with hope to the future.

MR. E. JENKINS said, he would only trouble the House with a few remarks; and he should not have risen but that he felt there were some fallacies in the speech of his hon. Friend (Mr. Courtney), as to which he should like to say a few words. It was suggested that the House under this system would not be subject to the influence of those gusts of passion which occasionally ran through the country, and to which the House was said to be liable under their present system of representation, or *quasi*-representation. Did his hon. Friend for one moment suppose that if there did spread through the country such bursts of passion as those to which he had referred, a House of 658 Members, however elected, would be able to withstand the impulse of those passions, or the demands of the majority of the people of this country? He had only risen because he felt that his hon. Friend had, with much eloquence and ingenuity, built up a pack of cards which could be cut down by two or three very practical and common-sense considerations. The first was, that by no system possible to be devised could they secure the actual representation of every minority. Where was the line to be drawn? How large a minority was it that should be represented? Of course, the theoretical basis of the argument was that it was an injustice if any minority whatever was excluded. Now, a minority might be a very small one in numbers, and yet a very large and important minority in politics. What provision, then, could they make?—what provision could the ingenuity of the most philosophical Member of that House suggest or devise, by which all the minorities of the country should be adequately, thoroughly, and justly represented? That was a common-sense consideration which appeared to strike at the very root of this proposal. When they were driven to look at it simply as a practical question, practically there was a representation of minorities, and this was one of the fallacies which lay at the root of all these arguments by Mr. Mill and by Mr. Hare when they contended that minorities were excluded from representation. How could they exclude minorities from representation? It was said that they were excluded from representation; but he denied that, and maintained that it was impossible, if a minority deserved to be represented, for it to be excluded. His hon. Friend the Member for Kerry (Mr. Blennerhassett) referred to the case of the Roman Catholics of England, and said that they could not obtain representation in that House. But was there any practical injustice worked by that? Was it true that Catholic opinion had no adequate representation? Could they say at that moment that the million of Catholics had not an adequate and proportionate representation? Was it necessary to establish a new and doubtful and a theoretical system for the purpose of obtaining the same end as that to which they had already attained? It was a fallacy that lay at the root and base of these arguments to say that any minority which ought to be represented had not either directly or indirectly obtained representation. Then there came in another question. There were minorities which they might say ought not to be represented, and which they would rather not see represented in that House, and which would be a nuisance to the House supposing they were represented. At Elections there was a sifting of candidates by public opinion, and the public opinion and the common-sense of the country excluded a number of people who practically represented no valuable opinion at all. Looking at the question from the historical, the political, or any other point of view, they must conclude that there was no opinion worthy of attention which did not receive representation within that House, either directly or indirectly. It was impossible that he should go through all the arguments against this Motion, and he did not think it was necessary, from the way in which the arguments of his hon. Friend had been received by the House. What did they find was the case in America? There was a great demoralization of politics, rich minorities were content to abstain from politics; and, as a result, they had an ignorant majority acquiring a power which was too great for them, a power which his hon. Friends proposed to check by an elaborate machinery. Was it possible that this could be worked? He thought it was not; and, for his part, he preferred to throw on the minority the responsibility of working for their views, and pressing them on the attention of the larger majorities until they had converted a sufficient number to change them into a minority. He had far more faith in that than in a machinery of this kind, however ingeniously contrived, and however delicately adjusted, invented for the purpose of protecting people against their own faults. He felt that these reasons cut through the position of his hon. Friend; and, therefore, he should feel bound to oppose this mere philosophical craze, and to vote against this Motion if it went to a division.

Mr. HEYGATE admitted that it was impossible to secure the representation of every minority, however small; but it was not necessary to define the precise minority which was entitled to representation. He questioned whether the hon. Member for Dundee (Mr. E. Jenkins), as a Liberal, would be satisfied, if he were a Lancashire man, with 22 Conservatives to 8 Liberal Members. When anomalies were shown to exist, it was usual to seek a remedy, and three-cornered constituencies were evidence of the disposition of the House to correct them. He (Mr. Heygate) had always supported the principle of the representation of minorities, and he, therefore, should vote for these Resolutions, which he presumed were practically embodied in the third, which declared that—

> "All opinions should have an opportunity of being represented in direct proportion to the number of Electors by whom they were held."

This was a simple but a very important truism. He regretted to find that the Liberal Party had, for the first time, embraced the idea of the equalization of the franchise as being the guiding rule for the next Reform Bill. The hon. Member for Kerry (Mr. Blennerhassett) had dwelt on the danger of class legislation, and there could be no doubt that there would be great danger in the fact of the whole of the constituencies being controlled by the voters belonging to the manual labour classes. Up to this time legislation of that kind had been prevented by the more or less restricted nature of the franchise and by the great variety in the character and circumstances of the constituencies. If they adopted one franchise in counties and boroughs, the reasons in favour of the proposition for minority representation became absolutely unanswerable. It was said that minorities ought to yield to majorities; but he saw nothing in that sentiment inconsistent with this proposition. The majority would continue to be the majority; but there was a great difference between erecting a minority to a position of equality with the majority and leaving it absolutely blotted out. He regarded it as of even more importance that minorities should be represented in local and municipal elections than in Imperial matters. It was said that this notion was newfangled; but people considered it to be so simply because they would not attempt to think for themselves. He doubted very much whether even Birmingham would desire to change the triangular system. They had, no doubt, in that town contrived, in the case of the first school board election, to transform the majority into the minority; but a little experience enabled them to put the majority in the position to which it was entitled. He thought that Mr. Hare's plan was too difficult to be carried out; but if there was any large distribution of political power, there should be a large adoption of triangular constituencies.

Sir GEORGE BOWYER felt bound to differ from the conclusions of the hon. Member for Liskeard (Mr. Courtney), though he admired the cleverness and ingenuity of his speech. Until they had perfectly equal electoral constituencies all over the country, it would inevitably happen that Members would not be returned by the aggregate majority. The minority in a constituency of 150,000, for instance, might often exceed the majority in a constituency of 6,000; but as all attempts to form equal electoral bodies had hitherto failed, he saw no remedy for that evil. He was not prepared to go further in the direction of representing minorities than the three-cornered constituencies, which, he believed, had worked satisfactorily; for Parliamentary government was government by Parties, which was government by majorities, and once the principle of the representation of minorities was admitted, they would have great difficulty in drawing the line at which to stop; and even if they did succeed in doing so, they would, in many cases, destroy the whole system of Party government in this country by placing parties on an equilibrium. It was to be regretted that considerable minorities like the Roman

Catholics of Great Britain, who numbered 1,000,000, should not be represented in that House. He thought it showed that the people of England were unable to appreciate the patriotism and public spirit of those opposed to them in religious opinion. A man might be a Catholic and at the same time be as patriotic an Englishman, and equally alive to the interests of his own country, and capable of sitting in that House as an English Representative, just as well as if he was a Protestant. He did not, at the same time, desire Catholics to be brought into the House by any contrivance such as the representation of minorities; but he asserted that religious opinion ought not to debar a man from political and public functions, and he hoped that that improvement in public opinion in this respect, which was inevitable, would very speedily take place. It had been stated that a tide of democracy was sweeping over them, and that they were struggling in the midst of it. For his own part, he did not anticipate any danger from the supposed torrent. Popular influence was a necessary condition of a Parliamentary system of government like theirs; and he was not aware that since the last General Election it had been unduly felt, or felt in a greater degree, than at any previous period since the passing of the Reform Bill.

MR. C. S. PARKER said, he thought the House had to thank the Mover and Seconder of the Resolutions for an interesting discussion. At the same time, he hoped it would not be pushed to a division, or it would put hon. Members into the difficulty in which they were frequently placed by an abstract Resolution. In that case, they must look carefully at the wording of the Motion, and must ask whether it referred to electors for the Imperial Parliament only, or included also municipal and school board electors. Then, as to the second Resolution—that no effectual security existed for the due representation of minorities—did that apply to elections for school boards? For if it did, he should not be prepared to affirm that no such security existed. On the contrary, he thought that the security given by the cumulative vote, whether perfect or not, was at least effectual; and would meet with more approval as its working became better understood. The hon. Member for Kerry (Mr. Blennerhassett), in moving his Resolutions, appeared to have in view especially what was so well-known as "Mr. Hare's system" for the representation of minorities, and he had very clearly expounded that system to the House. He (Mr. Parker) should in no way be prepared to give in his adhesion to any attempt to introduce that system into this country, and he believed it would be impossible to do so. On the other hand, a great deal of what the hon. Member for Liskeard (Mr. Courtney) said with respect to safeguards against the evils to which we were exposed more and more by the democratic character of our extended franchise deserved the best attention of the House. He (Mr. Parker) had been struck particularly by the instance given of the division of counties. It was in the power of the House, at the last re-distribution of seats, to divide certain counties into two parts, each returning three Members, instead of into three parts, each returning two Members; and the hon. Gentleman showed that if they had made "three-cornered constituencies" in a larger number of counties, it would have materially altered the representation, and considerably diminished the majority in that House. Although at present this result might be more pleasing to the Liberal side of the House, yet in future it might be to the advantage of the Conservative side. When they came to another re-distribution, which was supposed not to be very far distant, he trusted the opportunity would be taken to divide constituencies so as to give three Members each to more of them. There was another instance, which had not yet been mentioned, of minorities being unrepresented in that House. He referred to the case of the Universities. It was well known that there were strong Liberal minorities there. Yet Oxford University was represented by two Conservatives, Cambridge University by two Conservatives, Dublin University by two Conservatives, and the Scottish Universities were also represented by Conservatives, with one exception—that of his right hon. Friend (Mr. Lyon Playfair) who represented the Universities of Edinburgh and St. Andrews. He thought, however, that in this case they had a Liberal Member representing a Conservative majority, owing to the great respect entertained for him. He hoped the right hon. Gentleman would long continue to represent those Universities; but the prevalent belief was that if he were to vacate the seat, it would probably be filled by a Conservative. They had one eminent instance of a Liberal representing an English University; but the London University was as different from other Universities — being merely an Examining Board — as its right hon. Member (Mr. Lowe) was different from other Liberals. He thought that at a time when such questions as the reconstruction of county government, both in England and Ireland, and the franchise in Ireland, both political and municipal, were under discussion, and when they had also in prospect the lowering of the county franchise throughout the United Kingdom, the House might well give some of its attention to the abstract principle of the representation of minorities. A good deal had been said of the public excitement which showed itself, under our present franchise, and of the effect of that excitement on the House. It was true that movements such as that occasioned by the inattention of the Government to the claims advocated by the hon. Member for Derby (Mr. Plimsoll), or those evolved by the stirring events in the East, would be felt strongly in that House, whatever was the mode of selecting Representatives. But these movements would be felt less strongly if minorities were better represented. One other point he wished to notice, and that was the tendency under the new democratic franchise to have a larger majority on the one side or on the other as the result of a General Election. They had only had experience of two General Elections under the new Reform Act; and, therefore, it might be an accidental circumstance that the pendulum had swung so far in one direction and then so far in the other. But to all appearance this was the natural result of admitting great numbers of new voters, less educated, and, therefore, more liable to be swayed in their opinions by passing events; and, if so, it was unfortunate that new constituencies should be so arranged as to give full effect to this tendency, rather than to counteract it. But if the calculations of the hon. Member for Liskeard (Mr. Courtney) were correct, that a large alteration of the majorities in the House would have been made by the one arrangement of dividing county constituencies differently—if it were true that attention to that one point would have made a difference of something like 40 votes, it might be ascribed partly to the non-representation of minorities that they had in that House, first so large a majority of Liberals, and then so large a majority of Conservatives. He thought it would be the general feeling of the House that such large majorities were not to be desired. A very large majority was not always satisfactory even to those who enjoyed the advantage of it. The late Prime Minister had not reason to be content with his large majority, because, like most large majorities, it was not docile; and he would rather have had a smaller majority that would have held better together. Perhaps it was too soon yet to detect symptoms of anything similar on the other side of the House; but there had been some indications that the large Conservative majority was also inclined to be rebellious. At all events, he would express the opinion that it would tend more to the public benefit, more to the careful transaction of Business in the House, that the Party in power, instead of having a very large majority, should have a moderate majority at its back, for then it was likely that more Members of that majority would be present in debate to hear the arguments, and that the votes arrived at would be more the expression of deliberate opinion after discussion, and less the registration of a foregone conclusion of the Leaders.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at Eight o'clock till Monday next.

HOUSE OF LORDS,

Monday, 11*th March*, 1878.

MINUTES.]—Public Bills—*Second Reading*—Metropolitan Board of Works (Election of Members) (1), *negatived;* Exchequer Bonds (£1,000,000) *.

THE EASTERN QUESTION—THE CONFERENCE—GREECE.—QUESTION.

EARL GRANVILLE: My Lords, I beg to ask the noble Earl the Secretary of State for Foreign Affairs, Whether he can confirm the statement—which to me appears satisfactory—that Her Majesty's Government have proposed to the other Powers that Greece should be represented at the forthcoming Congress or Conference?

THE EARL OF DERBY: Yes, my Lords, I am in a position to confirm that statement.

METROPOLITAN BOARD OF WORKS (ELECTION OF MEMBERS) BILL.

(*The Earl of Camperdown.*)

(NO. 1.) SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF CAMPERDOWN, in moving that the Bill be now read a second time, said, that its object was to alter the mode of the election of the members of the Metropolitan Board of Works. At present, under the Metropolis Local Management Act of 1855, the Metropolitan Board of Works was elected by the vestries, which, in their turn, were elected by the ratepayers. The proposal now before their Lordships was to abolish the intermediate election of the Board by the vestries, and to substitute in its stead the direct election of the Board by the ratepayers. Last year he introduced very nearly the same measure; but in the Bill of last Session, there was a rather important proposal which in the present Bill was omitted. That was a proposal for the increase in the number of the Board to 100 members. The noble Earl opposite (Earl Beauchamp), who, on the part of Her Majesty's Government opposed the Bill of last Session, while admitting that some alteration was necessary, took exception to the proposal for the increase in the number of the Board, and in that objection he was followed by other noble Lords who took part in the debate on the second reading of the Bill. The measure, therefore, now came before their Lordships as a simple proposal to substitute direct elections for the present system of vestry or intermediate secondary election. He did not make the proposition because he had any abstract predilection for one mode of election rather than another; but because he thought there were practical reasons in its favour, and for abandoning the system of intermediate election. At the present time, the ratepayers had in reality no control whatever over the members who represented them on the Metropolitan Board of Works. There was but a very small amount of interest taken in vestry elections, and the electors even who assisted in taking part in them scarcely appeared to realize the fact that they were taking part in the election of a fractional part of the Metropolitan Board of Works. Yet the functions of that Board were annually increasing, and for that reason it was desirable that the ratepayers should be brought as much as possible in contact with their representatives on the Board. The Metropolitan Board of Works in the present Session was promoting a Bill for the purchase of all the Metropolitan Water Companies. That Bill, which involved the borrowing of a sum of £30,000,000, had been referred to a Select Committee, and it was being argued before that Committee by a large array of gentlemen of the long robe. The expense of promoting the measure would, of course, fall in some shape or other on the ratepayers of the metropolis. He passed no opinion whatever on the measure itself; but he believed the Motion for its promotion was carried in the Metropolitan Board of Works by a close division, and during the last fortnight several meetings of ratepayers had been held to protest against it. In Liverpool, or any other of our large towns except the metropolis, such a Bill would have been submitted to the ratepayers before it was brought into Parliament. Was there any valid reason why a system of representation which was held to be good for our other large towns should not be applied in the metropolis? Members of Parliament, who control general taxation, are elected directly in London as well as in the other large towns. Why, then, should not the Board which controls local taxation in London be elected in the same manner? There was even a greater necessity for it in the case of the latter taxation than in that of the former. An Amendment for the rejection of the Bill had been placed on the Paper by a noble Earl (Earl Fortescue) whom he (the

Earl of Camperdown) did not see in his place. He had hoped that the noble Earl would have been present to explain what system he would substitute; for, though the noble Earl did not agree with the proposal contained in the Bill, he (the Earl of Camperdown) had heard him on several occasions express his strong discontent with the system of local government in the metropolis. He anticipated that an objection usual on such occasions would be put forward—namely, that the Bill proposed a change so large and revolutionary that it ought not be proposed by a private Member, but should come before the House with nothing less than the authority of the Government. If that objection were thought to have any weight in this case, he would be only too glad if the Government undertook to deal with the question, or with any part of the system of local government in the metropolis. On the other hand, it might be said that the change was so small that it only touched the fringe of a great question, and would have the effect of unsettling matters. In answer to that, he would only point out that the change which he proposed was of the simplest possible character. It neither interfered with the number of members of the Metropolitan Board nor with the areas of election; it simply substituted direct election by the ratepayers for the present system. The Bill contained a provision that, instead of one-third of the Board retiring every year, the whole Board should be elected once in every three years. It also provided that, in future, the voting might be cumulative, and that the votes should be taken by ballot. He begged to move the second reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Earl of Camperdown.*)

VISCOUNT MIDLETON, in the absence of the noble Earl (Earl Fortescue) who had given Notice of the Amendment, rose to move that the Bill be read a second time that day six months. In doing so, he had to complain that the noble Earl the Mover of the Bill (the Earl of Camperdown) should have presented such a revolutionary measure without any previous explanation upon the first reading of the Bill. After so decided an expression of the opinion of the House against his Bill of last year, the noble Earl might at least have been warned, and have modified more than he had done the proposals it contained. The jurisdiction of the Metropolitan Board of Works extended over an area of 123 square miles, while the area of the old City of London was little more than one square mile. The population of the area of the Board's jurisdiction was estimated at a little more than 3,250,000, and the rateable value of property closely approached £23,500,000. The amount which the Board raised by taxation, which amounted to an average of 4*d.* and four-fifths of 1*d.* in the pound, was no less than £477,000 a-year; while it had funds provided by Parliament for a certain term of years, and raised by the wine and coal duties, amounting to £250,000 per annum. In other words, the actual revenue for the expenditure of which the Board was responsible was about £723,000 a-year. Besides the Thames Embankment and the Main Drainage system, the opening of various new streets and two Parks; besides numerous other works of great importance and utility, which everyone would allow were carried out very much to its credit, at the present time, it still had various other extensive works in progress. A Board possessing such resources, and exercising such functions, ought at all times to be open to criticism, and he was not aware that the Metropolitan Board had ever shrunk from it. On the contrary, it had always invited it. When the question of the election of its members was being considered, it should be remembered that it was simply a body entrusted with the exercise of important powers by the Legislature. As he had said, the Bill before the House was one of the most revolutionary measures ever brought forward, and the sting of it was to be found in the 2nd and 3rd clauses. By the 2nd clause of his Bill, the noble Earl proposed to abolish the whole of the existing Board on the 1st of December next, and by the 3rd clause he proposed to substitute an entirely new mode of election for that prescribed by Parliament. He (Viscount Midleton) took distinct issue with the noble Earl on both points. He denied that the noble Earl had made out a case for the necessity of legislation of this character, and also that the mode of election proposed was desirable or would conduce to the public benefit. He would ask whether a body of men who had done such good service ought to be turned to the right-about in order to suit the theory of representation entertained by the noble Earl? The next proposal in the Bill was that the whole of the Board should be changed at one time every three years. This was a still more astonishing proposal than either made in the previous clauses. He (Viscount Midleton) supposed that that part of the Bill had been borrowed from the recommendations of a Select Committee which had sat upon the subject; but the noble Earl had only taken such recommendations as suited his purpose, and had not embodied in his Bill others to the effect that a safeguard should be given by representation of property through the introduction of an *ex-officio* element, that, if the Crown were taxed, the Crown should have the power of nominating some representatives, and that other important bodies ought also to be represented. It was scarcely fair to take a portion of the recommendations of the Select Committee and ignore the remainder in a Bill on this subject. Let Parliament adopt the proposal for an election of the whole Board at one time, and, if the Board did anything unpopular under the Bill, there would be a clean sweep of the members of the Board, without a moment's warning, and a new Board constituted, with the absence of all the stability and experience which the present Board had acquired by 22 years of patient work, and inexperienced persons might be returned in their stead. The machinery of election provided by his noble Friend was almost identical with that of the school board; but that was a system of election which their Lordships were not likely to adopt, inasmuch as it was notorious that such elections involved enormous expense, and that they were made the occasion of political contests. It would be the same in the case of the election for members of the Metropolitan Board of Works under the triennial Parliament system of his noble Friend. The Bill only touched the fringe of a much larger question, and if his noble Friend said that the time was coming when the whole system of local government in the metropolis must be taken up by the Government, he should be disposed to agree with him, though he would not envy the Government which had to undertake that task. He thought the time was coming when Her Majesty's Government would have to consider what new form of government should be established for the whole of the metropolis; but, in view of the necessity of a measure so important as one by which such government would be established, it would be most unwise to sanction bit-by-bit legislation, because it would be a serious obstacle to such a measure. He begged to move the rejection of the Bill.

Amendment *moved*, to leave out ("now,") and add at the end of the Motion ("this day six months.")—(*The Viscount Midleton.*)

EARL BEAUCHAMP supported the Amendment. He was glad to see that the noble Earl opposite (the Earl of Camperdown) proposed to omit the objectionable clause he offered last year, to increase the number of the Board; but, at the same time, he confessed that it seemed to him that all the arguments in favour of the Bill which were proposed last year, and of which this was a re-production, were conspicuous by their absence. He would have been content to leave the Motion for the second reading of the Bill in the hands of their Lordships after the speech of the noble Viscount who had just sat down (Viscount Midleton), were it not that the noble Earl who proposed the Bill seemed to think that he (Earl Beauchamp), when last year opposing the Bill, had admitted the necessity of some alteration in the constitution of the Board. He did not think that anything which fell from him on that occasion justified the noble Earl in making that assertion. What he had said was, that although a Select Committee had recommended this change, securities for the due representation of property and intelligence formed an integral part of the series of representations. He also observed on that occasion that other proposals contained in that Bill made the measure more open to objection than it would have been, if it were simply one to change the mode of election, in which case he should find it more difficult to construct an argument against it. But it was clear that it was more difficult to construct an argument against a Bill containing one objectionable proposal than against a Bill bristling all over with objectionable provisions. He was glad to hear from the noble Earl that he had no abstract predilection for one system of voting over another; because that statement amounted to an admission that he had no ground for the change which he proposed. He could understand the proposal coming from a person who had the abstract predilection which the noble Earl disavowed. The noble Earl had made out no case. He had advocated his Bill on the ground that direct representation ought to go with local taxation; but the fact was that when he talked of the position of the ratepayers in the matter, he overlooked the fact that the Metropolitan Board of Works had no power of taxation, and that it was purely an administrative body, which, when it desired to execute works involving taxation, had to apply to Parliament by Bill; and the powers given to the Board in that way had been given gradually, carefully, and with great jealousy. The question of the transfer of the Water Companies was one that would have to be settled by Parliament and not by the Metropolitan Board, and he did not know that if the ratepayers were appealed to personally on that subject, the opinion on it of the Board would differ materially from what it was at present. The business which the Board had to transact required much delicacy and great experience; and if the members were elected by the ratepayers at large, disturbing elements, arising from the topics of the day rather than the business of the Board, would be sure to be brought into play to influence the result of the contests. He did not know that the noble Earl made any complaint against the Metropolitan Board of Works; but even if he had, he (Earl Beauchamp) could not see how any shortcomings on the part of the Board would be remedied by his proposals. It was to be borne in mind that the members of the Metropolitan Board were of the same class as the members of the vestries, as nearly everyone who had sat upon the Metropolitan Board had been elected to sit at the vestries. The total number of members who had sat upon the Board since its constitution was 132. The number of members of the Metropolitan Board was 45. Of the 132, 23 had died; 21 had retired from ill-health; 27 had had given up attendance in consequence of having other business to look after; three, who were Aldermen of London, had, when they became Lord Mayor, left the Board; 13 had not been re-elected to the Board by the vestries; and of the 45 present members only 24 were elected to the Board at the time of its original formation. That showed that it was a sufficiently changeable Board, one which he contended had done much good, and which deserved well at the hands of the ratepayers. Believing that the proposals in the Bill as regarded the triennial election would lead to confusion and impair the efficiency of the Board, the Government would support the Amendment.

Lord ABERDARE said, that despite all the Reports of Committees, on the subject, London stood alone of all cities in the Empire in its system of local government. London alone of all the great cities of the Empire had an unreformed Corporation, upon which to lay hands would be considered a violation of the principle of local self-government; and, in addition to that, London had a second system of local administration in the shape of the Metropolitan Board of Works, under which enormous sums were spent by persons chosen, not by the ratepayers, but by the vestries. His noble Friend (the Earl of Camperdown) had been told that he made no complaint against the Metropolitan Board of Works. He (Lord Aberdare) was not there to make any complaint; but he would point out that two Select Committees of the other House had sat, and both had reported that the Board wanted strengthening, and great dissatisfaction was expressed by the inhabitants that the Board was unable to deal in a satisfactory manner with the gas and water supply of the metropolis from their not possessing the necessary powers; and, on the other hand, it was said it was useless to give them these great powers unless they were strengthened by altering their mode of election. No one could doubt that the supply of water was of the greatest importance to the health of the metropolis. London was the only city of the Kingdom in which one had to ask himself whether he would not be endangering his health by taking a drink of water. A few days ago he heard a noble Friend of his ask a medical authority whether one ran more risk in London by drinking a glass of water or a glass of beer, and the reply of the medical gentleman was that he thought it far safer to drink a glass of beer. That gentleman said he never drank beer or plain water, but soda water made with the purest spring water. One great object the Bill had in view was that a body should be elected who possessed the confidence of the ratepayers; and that, when constituted, power to deal with these matters might be safely entrusted to them. In the election of members by vestries, it was impossible to judge beforehand that they were selecting men with enlarged views, who were capable of putting them before their brother members and of enforcing them by argument. All the members had been selected by the vestries save in the one instance of their excellent Chairman. The noble Viscount who had moved the rejection of the Bill (Viscount Midleton) had urged that if all the members were turned out at the first election great inconvenience would and must result from the newly elected Board not being familiar with the business they would have to transact; but that was not the case with the Education Board, who were re-elected every three years. The same thing might happen in an election for Members of Parliament; and a new set of Members, Ministers, and all, might be elected to whom the Business might be entirely new. But he hoped their Lordships had too much practical good sense to be frightened by any such fears. In conclusion, he entreated the House by passing the Bill to sweep away the anomaly of an indirect mode of election for the members of a Board which had such important public duties to perform as the Metropolitan Board of Works.

Earl DE LA WARR said, the noble Viscount who moved the rejection of the Bill (Viscount Midleton) had characterized it as a measure of the most revolutionary kind ever submitted to their Lordships' consideration. He (Earl De La Warr) was at a loss to discover it, for the principle on which it was founded was a sound Constitutional one—a principle which prevailed in the election of the humblest parish officer, and in that of the highest Assembly in this country—he might say in the world—namely, that those who paid taxes should have a voice in the election of those who imposed them. He saw no reason why that principle should not be applied to the Metropolitan Board of Works as well as to the House of Commons. There could be no doubt that the Metropolitan Board had done great things since its establishment, and would doubtless do more as time permitted. His (Earl De La Warr's) objection to the Bill was that it did not go far enough and touch the weak point of metropolitan local management—the division of authority, which so interfered with all unity of action from the number of parishes having distinct jurisdiction, and which prevented the Board from doing what it otherwise would. He should have voted with more readiness for the second reading of the Bill if it had dealt also with the question of one central authority in the metropolis.

On Question, That ("now") stand part of the Motion?

Their Lordships *divided*:—Contents 36; Not-Contents 54: Majority 18.

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De La Warr, E. [*Teller.*]
Ducie, E.
Granville, E.
Kimberley, E.
Minto, E.

Cardwell, V.
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Abercromby, L.
Aberdare, L.
Auckland, L.
Boyle, L. (*E. Cork and Orrery.*)
Carlingford, L.
Crewe, L.
Dorchester, L.
Elgin, L. (*E. Elgin and Kincardine.*)
Foley, L.
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Keane, L.
Kinnaird, L.
Lyveden, L.
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Hawarden, V. [*Teller.*]
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Airey, L.
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Chelmsford, L.
Clinton, L.
Colchester, L.
Cottesloe, L.
Crofton, L.
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Ellenborough, L.
Elphinstone, L.
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Hylton, L.
Penrhyn, L.
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Silchester, L. (*E. Longford.*)
Skelmersdale, L. [*Teller.*]
Ventry, L.
Walsingham, L.
Winmarleigh, L.
Zouche of Haryngworth, L.

Bill to be read 2^{a} *this day six months.*

CATTLE PLAGUE—TRANSIT OF CATTLE BY LAND AND SEA.

QUESTION. OBSERVATIONS.

Earl DE LA WARR, in asking if Her Majesty's Government would consent to lay on the Table of the House, the Orders issued by the Privy Council to regulate the transit of cattle by land and sea, said, it would be in the recollection of their Lordships that such Orders had been issued by the Privy Council, and his object in asking that the Papers should be laid on the Table was to see how far they would be affected by the measure which was then under the consideration of the House, and which touched, though lightly, upon the subject, and did not materially alter the existing law. He believed that there was a large amount of suffering, and not unfrequently, inflicted upon cattle which were brought from foreign countries, as well as for some parts of Her Majesty's Dominions—he alluded especially to Ireland. He would not go into details at that time, but wait till the Papers were before them. If he were asked to propose a remedy for the existing state of things, he should say that there ought to be embodied in an Act of Parliament very stringent and penal regulations with regard to the accommodation on board those ships which were provided for the conveyance of cattle, and that under no circumstances should more than a certain number be permitted to be conveyed in a ship, the tonnage of which did not exceed a given amount. Under the regulations which now existed, it might sometimes happen that cattle were allowed to remain for 30 hours without a supply of water. He was quite aware that railway companies had made some important arrangements, tending to alleviate the sufferings of the animals carried over their several lines of railway, in supplying each with a sufficient cubic space and with a supply of food and water; but he thought it would be quite possible to make further improvements; and there ought to be an Act of Parliament to regulate everything connected with the subject, as it was a very important one, when they considered how large a number of cattle was brought to this country both by land and sea.

The Duke of RICHMOND and GORDON, in reply, said, that he sympathized in the noble Earl's views. The Government had no objection to produce the Orders to which the noble Earl had alluded, and which were contained in the "Animals Order, 1875," issued under the Statute intituled the Contagious Diseases (Animals) Act, 1869. If the noble Earl would move for their production, there would be no objection to the Motion.

Earl DE LA WARR moved for Copy of Orders issued by the Privy Council to regulate the transit of cattle by land and sea.

Motion *agreed to.*

Ordered to be laid before the House.

CRIMINAL LAW—ALLEGED CRUELTY TO A CAT.

QUESTION. OBSERVATIONS.

Lord TRURO, in asking if the attention of Her Majesty's Government had been called to a case of alleged cruelty on the part of six students at The Yews, Beaconsfield, and whether they were prepared to institute additional inquiries into the circumstances attending it?—said, that it was a case which, at the first blush, appeared to be of the gravest character, the cruelty alleged such as they could scarcely conceive. An impression had got abroad, whether rightly or wrongly, that there had been been a miscarriage of justice with regard to this case. The statement which had appeared in the newspapers, and which led him on Friday last to mention the subject, warranted him in asking their Lordships to give a few moments to the consideration of the case—which was that six youths, who were students at the Rev. Mr. Chambers's, The Yews, Beaconsfield, were seen going towards the parish mead with a bag, which was supposed to contain one or two cats; and that, on arriving at the mead, one of them took a black and white cat out of the bag, and that while one of them held the legs, by another its eyes were extracted. Subsequently the poor animal, it was said, was released and two dogs set upon it. One of the youths hunted it with a whip, and it was eventually killed, and its body thrown into a holly plantation. The conduct of the students would appear to have excited the indignation of a man who was passing by, who said that if he saw anything of the kind again, he should call the attention of the police to it. The case was afterwards brought before the magistrates, and a little child between 10 and 11 years of age gave evidence to the effect that he was between 40 and 50 yards from the scene of the alleged cruelty when it occurred, and that he had seen a man passing at the time who made some observation. No report was given of the evidence of the child, neither was the cat produced, nor the evidence of the man obtained. There was, however, a statement made which he could hardly credit, to the effect that the uncle of one of the youths sat on the bench and adjudicated on the case, and he had received between 20 and 30 letters expressing indignation at what had occurred. Indeed, he believed that that statement had given rise, at least, partially, to the feeling which prevailed in the country on the subject. The evidence given was not, perhaps, altogether satisfactory. The gardener of Mr. Chambers, a man who might be supposed not to be disinclined to make out the best case on behalf of the students, was one of the first witnesses called. Then a second child, who it was also stated had witnessed the occurrence, contradicted before the magistrates the evidence which he had given previously in writing to the police. Then there was the evidence of Mr. Chambers himself, who said that his pupils remained with him until 20 minutes to 2. That, however, was perfectly consistent with the statement of one of the witnesses that the alleged act of cruelty occurred between 1 and 2 o'clock. There was also some discrepancy in the evidence as to whether the animal on which the cruelty was inflicted was a cat or a rabbit; but, so far as regarded the cruelty, that would not make any difference. The statement of facts might or might not be true; but if it was true that the uncle of one of the boys was on the bench when the case was tried, the country would think, very rightly, that the etiquette or habit usually followed by magistrates of taking no part in cases personally affecting themselves had been disregarded. If this were so, a most unusual course was taken. He hoped that such conduct would be condemned in a marked manner by the head of the Legal Profession. He had thought it right in the interests of humanity and of the public to bring the matter before the notice of the House, and though he regretted occupying the time of their Lordships, even a short time upon such a matter, yet he felt that the circumstances of the case ought to be inquired into. He, however, trusted that the circumstances of the case were not such as he had been led to believe.

EARL BEAUCHAMP said, he was glad the Question had been postponed, because it had given time to make inquiry into the circumstances. Everyone would agree that the story as it was first told was, no doubt, if it occurred, one of considerable atrocity; but the one question was, whether it was true or not, and their Lordships were placed in a position of some difficulty, in being asked to proceed with the discussion of a question when they had no evidence before them and no means of obtaining information in regard to it. The noble Lord (Lord Truro) had mentioned what was to him (Earl Beauchamp) a new feature of the case—the relationship, namely, between one of the magistrates and one of the boys accused. He had no means of ascertaining the particulars of that part of the case; but this he could say, that the magistrates were presided over by a gentleman of great legal experience, who had held the office of a Judge in India. The main point was, that the magistrates who tried the case were of opinion that the charge had not been made out; and it would be remembered that the prosecution relied entirely on the evidence of the boy 10 years old. It would not be convenient to review the evidence on which the decision was given; but the House might be satisfied that it had been given by a competent bench of magistrates, and that there had been no failure of justice. Nor had the case been conducted hurriedly; the summons was granted on February 5 and heard on March 5, while handbills inviting corroborative evidence were posted in various public places for a fortnight before the trial. Altogether, the case had been managed in a competent and leisurely manner.

Earl GRANVILLE said, that he was by no means surprised the noble Lord (Lord Truro) should have taken up the matter, because the reports that had appeared were of a character to rouse the indignation of every Christian. For himself, he had no personal knowledge of the matter, and would not discuss it; but he wished to say that he had received a letter upon the subject from a gentleman whom he had not the pleasure of knowing, and it stated that the writer and the parent of one of the boys had gone into the case and were convinced that there was an utter want of foundation for the story—at the same time, there was a desire that there should be a full and ample inquiry into the matter. There was the statement of the solicitor who attended for the boys in the papers, but all the evidence was not reported. As there was a great deal of feeling upon the subject, it was desirable that an inquiry, if the Home Office would grant one, should take place; and it was important to the boys themselves that the truth should be fully known.

Lord COTTESLOE said, that he was personally acquainted with the business of the county of Buckingham and knew all these magistrates. The case was one for summary conviction, and that circumstance made it necessary for the magistrates to feel absolutely sure of the truth before they inflicted a penalty. Those gentlemen, however, were satisfied that the evidence would not justify a conviction. He had seen the depositions of the witnesses in the case, and he thought that the noble Lord (Lord Truro) and every Member of their Lordships's House would come to the conclusion, if they saw them, that on the statement before the justices no jury would convict. One statement made by the noble Lord was, no doubt, of some importance—that, namely, relating to the connection between one of the magistrates and one of the accused. He was glad to be able to offer an explanation of it, as he had received a communication from that gentleman; and he said that he was not an uncle, but that he had been, through a sister, who had died, connected with the boy's family—yet, though living within a mile of the school, he had never seen the boy, and never invited him to his house, and, consequently, he felt indignant at the supposition that he had exhibited favouritism in the case. He (Lord Cottesloe) would not go into any details; but he must say that an inquiry would be satisfactory to the young gentlemen, and he thought one should take place.

Lord TRURO said, he had expressly stated that there was an impression abroad that a miscarriage of justice had taken place; but he did not presume to give an opinion upon it. It would be rather unfair to the young gentlemen if the matter were allowed to remain in its present position. They ought to be relieved in the fullest manner from the charges and reflections brought against them in connection with the charge, if they were innocent.

THE EASTERN QUESTION—THE CONFERENCE—THE PRESIDENCY.

QUESTION.

Earl STANHOPE, in rising, according to Notice, to ask the Secretary of State for Foreign Affairs, Whether, in the event of the ensuing Conference taking place at Berlin, he will urge that under no circumstances is it desirable that the Representative of either of the Belligerents should preside?—said: My Lords, I am aware that it is the general practice, when a Conference or a Congress takes place abroad, that the Representative of the country in which the Conference is held should preside. We have heard that the coming Conference—if it is to be held at all—will take place at Berlin. It follows, therefore, that Prince Bismarck will preside. My Lords, I saw on Thursday last, in *The Allegmeine Zeitung*, a statement to the effect that the condition of the Prince's health is such that he is not likely to fulfil this arduous duty; and, in that case, supposing he does not, what will happen? I think, my Lords, it is possible—nay, even likely—that the senior Representative of the Great Powers, Prince Gortchakoff, the senior in age, and therefore in experience, may be called upon to take the Chair. I might be told this is most unlikely; but when we consider how long and intimate a friendship has existed between the German Chancellor and Prince Gortchakoff—an intimacy commencing 28 years ago at Frankfort—when one reflects how it has produced the most tremendous results which have ever altered the map of Europe, it is very important that some attempts should be made to avert such a contingency. Not only are the two Chancellors intimate; but I must also remind your Lordships of the friendship which exists between the Czar and the Emperor, and that after the Franco-German War the first announcement of the conclusion of peace was sent to the Czar from the Emperor, and that announcement concluded in these words—

> "Never will Prussia forget that to you it is due that the war did not assume larger proportions. May God bless you for it.—Your grateful friend for life."

We are told now that this peace has been signed between Russia and the Porte, and the first telegram containing the news has been sent by the Czar to his uncle the Emperor of Germany. I shall be told, perhaps, that such a contingency as a Russian Councillor presiding over the Conference has never been contemplated by Her Majesty's Government, nor by any other Power. But have we forgotten the Conference of Constantinople? Will anyone say that a Chairman does not exercise great influence over the deliberations of any assembly whatever? Can anyone say that the Presidency of the Russian Representative at Constantinople was not fraught with great results? And can anyone say that the results of that Conference, if it had been presided over by any other Minister but General Ignatieff, might not have been widely different, and that Turkey might not have accepted its proposals? Russia had more than half drawn her sword—it is as much unsheathed at the present time as it was during the sitting of that Conference. It seems to me that the contingency I have pointed out may arise, and therefore I beg to ask the Question which stands in my name.

LORD CAMPBELL said, that if this had been a Question asked by the noble Earl (Earl Stanhope) without his having previously given Notice, he (Lord Campbell) should not have been in Order in interposing between it and the reply of the noble Earl the Secretary for Foreign Affairs; but, inasmuch as the ordinary Notice of the Question had appeared on the Paper in such a way as to invite remark, he would take the opportunity of offering a few observations, and he hoped the Government would not complain of his so doing. First, he would state how thoroughly he concurred in the opinion expressed by the noble Earl (Earl Stanhope)—that the Representative of neither belligerent should preside at the Conference. According to the last accounts, it appeared that Prince Gortchakoff was going to Berlin, and that the Conference would sit there. Everyone who knew anything of Berlin, locally or politically, must see the great advantage which Russia would derive from that circumstance, even although her Representative might not preside at the Conference. He should, therefore, like somewhat to enlarge the inquiry which the noble Earl had addressed to the Foreign Secretary. If the coming Conference was to attain the objects of Europe and of this country, it appeared to him that it was essential that it should differ altogether from that Black Sea Conference which, although it led to some practical results, was almost without dissimulation a register of a decision previously arrived at. There had been some solicitude about the terms now arranged between Russia and the Porte. That solicitude was legitimate as regarded the question—a more important one than the question of the Presidency of the Congress—whether the approaching Conference would have a thorough power to endorse or to reject upon a basis that was entirely provisional? In order to that purpose, full information should be given to the Representatives upon all the points submitted to the Conference. If Her Majesty's Government could give the House some assurance on that point, it would not, he thought, be inappropriate.

LORD DENMAN said, it had been stated in 1871 by the late Premier—

> "It will be beyond the power of any Government adequately to discuss the subject (the limitation of the Black Sea) while the

Conference is sitting." — [3 *Hansard,* cciv. 1505.]

He, therefore, thought it would be very much to the interest of the country if noble Lords would abstain from constantly asking Questions in reference to the approaching Conference. Those Questions were so embarrassing, that, as an hereditary Adviser of the Crown, he would recommend Her Majesty to prorogue Parliament during the whole of the time the Conference was sitting. It was perfectly dreadful to see youthful Peers getting up in their Lordships' House and presuming to advise their Sovereign or the Ministers as to the course they should pursue when this country was invited to take part in a great International Conference. What had the House to do with the internal arrangements of an International Conference? The remarks which had been made were an insult to the Nations which were to be represented at the Conference. They were not to assume to dictate to Sovereigns, to Nations and their Representatives. Parliament had now been sitting for seven weeks, having been hurried up to London; and a very uninteresting sitting it had been for them to listen to Questions which appeared to him not to be worthy of a Legislative Assembly. He considered that Her Majesty owed them seven weeks, and instead of an Ambassador waiting, as Sir Robert Murray Keith did at Sistova, in Bulgaria, five months for instructions from his Government, we, who had the same confidence in our Plenipotentiary which was felt in 1791, would by that time—seven weeks—proprobably hear that the Conference had come to a satisfactory issue, from constant communication with Her Majesty and her Ministers, and be able to see its provisions ratified.

THE EARL OF DERBY: My noble Friend behind me (Earl Stanhope) has asked me, whether we will urge that under no circumstances is it desirable that the Representative of either of the belligerent Powers should preside at the Congress? My noble Friend is no doubt aware that generally—I believe invariably—at all Congresses and Conferences that have been held in recent times, the rule has been that the Representatives themselves, on their first meeting, should elect the person who should be their President, and settle the course of their future proceedings. A further custom has also grown up which, by lapse of time, has acquired almost the force of a rule, that, unless there be a special reason to the contrary, the Representative of the Power in the capital of whose country the Conference or Congress is held is the person elected for the purpose. It would, therefore, follow that if the Congress was held at Berlin, the Presidency would probably be offered to Prince Bismarck; and I have no reason to suppose that, if he attends the Congress at all, it would be his intention to decline it. If he were to do so, I apprehend that, according to usage, what would happen would be this—that the Congress would proceed in the same manner as before to choose another President. I ought to add that, as far as I am aware, or can learn, there is no special power or authority attached to the position of the President on such an occasion. He is *primus inter pares*. It is simply an honorary distinction. He has precisely the same rights and powers of dealing with subjects submitted to the Conference that any other Member has. Under these circumstances, I do not think it would be desirable to do that which certainly would be a very unusual step—to make it a condition of going into the Congress that special rules of exclusion from the Presidency should be applied to the Representatives of one of the Powers principally concerned. I am not aware that there is any precedent for a course of that kind being followed, and it is clear that no general rule can be laid down for the exclusion of the Representatives of the belligerents. There have been cases, and there may be so again, of Conferences attended by the Representatives of the belligerent Powers alone, and if a universal rule of exclusion were to be applied to them, there would be no person to preside at a Conference. With regard to the further Question put by the noble Lord opposite (Lord Campbell), I understood him to ask whether the Congress would have full material to form a judgment on the whole question which is to be submitted to it. That is undoubtedly a matter of great importance. I hold, as I believe everyone does, that it would be useless and foolish to go into a Congress unless that Congress is to have a real and not merely a nominal power of dealing with the various matters before it. We are in communication with other Governments upon the subject, but I am not in a position at present to say anything more on that subject.

House adjourned at a quarter past Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 11*th March*, 1878.

MINUTES.]—NEW WRIT ISSUED—*For* East Somerset, *v.* Richard Bright, esquire, deceased.
PUBLIC BILLS — *Second Reading* — Bankruptcy Law Amendment [119]; Poor Law Amendment Act (1876) Amendment* [103]; Bankruptcy Act (1869) Amendment [89].

QUESTIONS.

MALTA AND CEYLON—FOOD TAXES.

QUESTION.

MR. POTTER asked the Secretary of State for the Colonies, Whether he is prepared to lay upon the Table of the House Mr. Rowsell's Report as regards Malta, which has been in the hands of the Government for more than six months; and, if he will tell the House what action the Government is prepared to take on that Report in reference to the Food Taxes of Malta; and, whether it is the intention of Government to lay upon the Table of the House the Report of the Commission appointed in Ceylon on the subject of the Food Taxes in that island; and, what steps the Government will take in reference thereto?

SIR MICHAEL HICKS-BEACH: Sir, I do not think that any useful purpose would be served by presenting Mr. Rowsell's Report on the taxation of Malta to the House until Her Majesty's Government have decided what course shall be taken upon the question to which it relates. And, considering the difficulty and importance of the proposals which have been made, affecting a system of taxation which has been in force for three-quarters of a century, I think it is scarcely reasonable that I should be expected to state what action will be taken upon them within so short a time after my appointment to my present office. My answer to the second Question must be similar to the preceding. I think it would be better that the Report on the Food Taxes of Ceylon should be laid on the Table with the decision of the Government on the subject when that decision has been arrived at, and that the Papers should not be presented in parts.

CONTAGIOUS DISEASES (ANIMALS) ACT, 1869 — OUTBREAK AT ALFORD.

QUESTION.

SIR WILFRID LAWSON asked the Vice President of the Council, Whether his attention has been called to a disastrous outbreak of cattle disease which is reported in the "Boston Guardian" of the 22nd ult. to have occurred on the 16th February at Rigsby House, Alford, Lincolnshire, resulting in the death of forty-six head of cattle in thirty hours; whether the superintendent of police of the district took steps for having an analysis made of the food which they had been eating immediately before the outbreak of the disease; and, whether any claim for compensation for the loss is being made on the Government?

VISCOUNT SANDON: Sir, I am glad to say that we are assured that no further death has occurred from this terrible disease. No claim for compensation has been made upon the Government, and as the disease does not come within the provisions of the Contagious Diseases (Animals) Act, 1869, no such claim could be made. I am informed that some of the food which had been partaken of by the cattle prior to the outbreak was analyzed, and that no poisonous agent was detected in it. I ought to mention the cause to which the most experienced Inspectors of the Privy Council are inclined to attribute the disease, but I almost fear to shock the hon. Baronet too much by doing so. However, I think I ought to inform the House that they think it probable that this very serious disease was induced by drinking water.

CRUELTY TO ANIMALS ACT, 1877—LICENCES.—QUESTION.

MR. PEASE asked the Secretary of State for the Home Department, What number of licences have been granted under the Cruelty to Animals Act, 39 and 40, Vic. c. 77; whether any licences have been given up or withdrawn; if so, how many; and, whether he has reason to suppose that the power thus granted has been in any case abused?

MR. ASSHETON CROSS, in reply, said, that 20 additional licences had been granted beyond those which appeared in the half-year's Return. Of these three had expired, and had not been renewed, and three had been cancelled. He had had many interviews with the most able and conscientious Inspector, who had taken an interest in this matter, and that gentleman assured him that there was not the slightest ground for believing there had been abuse in any single case.

MERCHANT SHIPPING—THE EDDYSTONE LIGHTHOUSE.—QUESTION.

MR. WADDY asked the President of the Board of Trade, Whether, as the Eddystone Rock has been partially washed down by the sea, and it has become necessary to remove the lighthouse, the opinion of competent engineers had been taken as to the practicability of blowing up and removing the rock altogether instead of re-building the lighthouse; and whether he would lay on the Table any Correspondence on the subject?

SIR CHARLES ADDERLEY: Sir, in the opinion of the advisers of the Trinity House, the cost of blowing up the Eddystone Rocks, and another reef which would necessarily have to be blown up also on the landward side of them, would be 10 times the cost of building a new lighthouse, and the lighthouse standing out from a long recess of the shore from the Lizard to the Start is so useful for the navigation of the Channel that, if there were no rocks there, it would still be necessary to place a light in that position. The rock selected for the new site is so formed and protected that there is no danger of its being similarly damaged by the sea, as the present site has been. I will lay on the Table to-night a report from the Trinity House on the subject.

PUBLIC OFFICES—PURCHASE OF LAND. QUESTION.

MR. GOLDSMID asked the Secretary to the Treasury, Whether the Government propose to take advantage of the opportunity offered by the demolition of the premises lately occupied by Drummond's Bank, to purchase the site for the extension of public offices; and, if not, if he would explain why they forego the opportunity?

COLONEL STANLEY, in reply, said, it was not the intention of the Government to purchase the site referred to by the hon. Gentleman. The duty of the Government had been to see, in the first instance, what site would be most advantageous to the public service; and, although they were alive to the merits of Mr. Mitford's scheme, which appeared to combine the acquisition of a site for public offices with what appeared to be a metropolitan improvement, they did not feel at liberty to allow the latter to outweigh more practical considerations.

PUBLIC HEALTH—VENTILATION OF THE LAW AND POLICE COURTS. QUESTION.

MR. COOPE asked the First Commissioner of Works, Whether he is prepared to take prompt measures with a view to remedying the defective ventilation of the Law and Police Courts of the Metropolis?

MR. GERARD NOEL, in reply, said, he had already given instructions for the preparation of a Report as to the ventilation of the police and magistrates' courts in the metropolis.

DOG LICENCES.—QUESTION.

MR. HEYGATE asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government intend to propose to confer on the police statutory powers to summon defaulters for non-payment of Dog Licences, as suggested by the Commissioners of Inland Revenue in their last Report?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he was at present in communication with his right hon. Friend the Home Secretary on the subject. The matter had been receiving careful consideration.

ARMY (INDIA)—ARTILLERY PENSIONS. QUESTION.

MAJOR NOLAN asked the Secretary of State for War, If the Government intends to afford to the officers on the lists of the late Bombay, Bengal, and Madras Regiments of Artillery the same facilities for retirement as has been given by the Scheme of 1877 to other officers of the Army; and, if so, is the War Office now taking active steps to elaborate such a scheme?

MR. GATHORNE HARDY: Sir, these officers have already the same facilities as those of the officers of the Royal Artillery in England for obtaining a pension, and, indeed, they have rather more, because they have the choice of the Indian pension also. With respect to the compulsory clauses, they at present are not extended to them except in the case of general officers over 70 years of age. The subject of extending those compulsory clauses is now under careful consideration.

THE EASTERN QUESTION—THE TERMS OF PEACE.—QUESTION.

LORD ROBERT MONTAGU asked Mr. Chancellor of the Exchequer, Whether the terms of the Treaty between Russia and Turkey are yet in his hands; whether (even if he has not the Treaty) he is able now to confirm the announcement previously made, with some hesitation, that the cession of the Turkish fleet is not included in the conditions of peace; and, whether he is also able to state that the pecuniary indemnity has been reduced from the original sum of £40,000,000 to £12,000,000, without any territory being taken in lieu of the difference, and without any other payment of any kind being demanded?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the terms of the Treaty are not yet officially communicated to Her Majesty's Government; and I think, therefore, it is better not to attempt to answer the Questions put by the noble Lord, because I might probably fall into some error in answering them.

CEYLON—ECCLESIASTICAL VOTE.
QUESTION.

MR. ALDERMAN M'ARTHUR asked the Secretary of State for the Colonies, Whether any reply has been sent to the Memorial to the Queen from the inhabitants of Ceylon, praying for the cessation of ecclesiastical subsidies from the revenues of the Colony; and, if so, whether such reply will be laid upon the Table of the House in continuation of the Correspondence presented last Session?

SIR MICHAEL HICKS-BEACH: Sir, I believe that the Memorial to which the hon. Member refers was received nearly a year ago, and I cannot find that any reply has been sent to it. Probably a reply was thought unnecessary, as the public were fully informed of Lord Carnarvon's decision on the subject by despatches which have been already published, and also by the answer of my right hon. Friend the present Chief Secretary to the Lord Lieutenant to a Question addressed to him by the hon. Member.

BUSINESS OF THE HOUSE—BAR EDUCATION AND DISCIPLINE BILL.
QUESTION.

DR. KENEALY asked Mr. Chancellor of the Exchequer, Whether there is any truth in the intimation contained in the "Daily News" of March 5, that the Bar Education and Discipline Bill will not come on this Session; if true, whether he will explain why; and, if not true, whether he will, on the part of the Government, direct the Bar Education and Discipline Bill to be placed at the head of the Orders of the Day, so that the full Debate upon it which he has promised may be taken?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he was not aware of any foundation for the intimation to which the hon. Member referred. It was a matter of importance that the Bill to which he alluded should be brought on, and, if possible, passed this Session. He was afraid that at present he could not make any arrangement with regard to the time of taking it. He had already undertaken not to bring it forward without due Notice, or without giving ample opportunity for its discussion. More than that he could not say.

LANDED ESTATES COURT (IRELAND).
QUESTION.

MR. MACARTNEY asked Mr. Attorney General for Ireland, Whether any arrangements have been made to obviate the inconvenience and possible loss which may occur to suitors in the Landed Estates Court, Ireland, owing to the absence on circuit of one of the Judges who preside in that Court?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON): Sir, I do not think that any inconvenience or loss will occur to the suitors in the Landed Estates Court owing to the absence on circuit of one of the Judges who preside in that Court, as there is a power under the Judicature Act to transact business on such occasions before another Judge. Besides, the officers of the Court will attend to their duties as usual.

MALTA—APPOINTMENT OF GOVERNOR.—QUESTION.

MR. ANDERSON asked the Secretary of State for the Colonies, Whether it be true, as stated in the newspapers, that a successor to the present Governor of Malta has been appointed; and, if so, whether any effect is being given to the desire of the Maltese to have the Military Governorship separated from the Civilian?

SIR MICHAEL HICKS-BEACH: Sir, it is true a successor to the present Governor of Malta has been selected, though the statement in the newspapers to which the hon. Member refers was entirely unauthorized, and no appointment had been made at the time at which it appeared. As to the scheme suggested in the hon. Member's Question, I would remind him that there is something else to be considered besides the desires of the Maltese, and that the present scarcely seems a suitable moment for introducing a divided command into an important English fortress. At the same time, I would remind the hon. Member, that many of our best Colonial Governors have been distinguished military men; and I cannot suppose that the civil interests of the Island will be in any way prejudiced by being entrusted to a distinguished General, aided, as he will be, by able and experienced civil officers.

THE EASTERN QUESTION—THE CONGRESS—GREECE.—QUESTION.

SIR H. DRUMMOND WOLFF asked Mr. Chancellor of the Exchequer, If he can inform the House whether the statement in "The Times" of this morning is correct, that Lord Derby has proposed that Greece shall be represented at the Congress?

THE CHANCELLOR OF THE EXCHEQUER: Yes, Sir, it is true that we have done so.

PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTION.

In reply to Mr. DILLWYN,

THE CHANCELLOR OF THE EXCHEQUER said, it was hoped to take the Supplementary Civil Service Estimates on Thursday, after the Committee on the County Government Bill.

SUPPLY.—RESOLUTION.

Motion made, and Question proposed, "That this House will immediately resolve itself into the Committee of Supply."—(*Mr. Chancellor of the Exchequer.*)

SIR WILLIAM FRASER observed that there were on the Paper no fewer than 41 Amendments apparently on one subject. He wished to know whether the Chancellor of the Exchequer proposed to deal in any special way with those Amendments?

THE CHANCELLOR OF THE EXCHEQUER said, those Notices of Amendments had reference to one of the Votes in the Estimates, and they would not arise until that Vote was called on. He would state how they should be dealt with when they arrived at the Vote.

Question put, and *agreed to.*

Resolved, That this House will immediately resolve itself into the Committee of Supply.

MOTIONS.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

PARLIAMENT—COST OF RETURNS.

RESOLUTION.

MR. HERMON, in rising to call attention to the number and expense of the Returns laid upon the Table, and consequent derangement of Departmental work; and to move the following Resolution:—

> "That Members asking for Returns should previously ascertain from the Department the approximate expense and time required for their production, and give this information to the House when moving for the same;"

said, the cost of those Returns was not the most serious part of the question, but the preparation of them led to a serious disorganization of Departmental work. In 1875 the cost of certain Returns, in clerical labour and printing, was £13,800, and the sales of them produced £133. Certain other Returns ordered in 1875 and printed in 1876 cost £2,952 and produced £6 8*s.* 5*d.* The production of these Returns involved a great interference with Departmental work; and, in some instances, owing to the length of time required for their preparation, they were useless when published, and changed circumstances had rendered them nugatory. Some of these Returns occupied two or three years sometimes in production, and in one instance even four years was taken. Of course, he might be told that it was in the power of Ministers to refuse Returns when asked for; but it was an invidious task to refuse them, particularly when it was open to anyone to suggest that the non-production of Returns might facilitate legislation of an improper character. It was notorious that many of the Returns delivered to hon. Members were regarded as so much waste paper, and got rid of as such; and if they were to be sold as waste paper, they ought to be sold on account of the House, and the proceeds applied in reduction of the cost of producing them. Circulars were sent round by stationers offering 14*s.* per cwt. for small, and 16*s.* to 18*s.* per cwt. for large. In an essay published some years ago on the subject of waste, after enumerating various sources of waste in household matters, the writer said—"Now let us descend to the kitchen." So it might be said with regard to public expenditure—"Let us descend to the printing department." He hoped his hon. and gallant Friend the Secretary to the Treasury would give them a little of his experience, which would show where the shoe pinched. The amount realized by the Returns as waste paper showed what a drug they were in the market. In conclusion, he begged to move his Resolution.

ADMIRAL SIR **WILLIAM EDMONSTONE** seconded the Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "Members asking for Returns should previously ascertain from the Department the approximate expense and time required for their production, and give this information to the House when moving for the same,"—(*Mr. Hermon,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. **BAXTER** said, that anyone who had held the office of Secretary to the Treasury would thoroughly sympathize with the remarks of the hon. Member for Preston (Mr. Hermon), and acknowledge that he had done good service by bringing the subject before the House. It was of far more importance than many might suppose. The question was, as the hon. Gentleman had said, not so much one of money as of time, and he could assure the House that the time occupied in preparing and printing the vast number of Returns which were constantly being asked for was very great indeed. He was quite sure that some change ought to be effected. He had known Returns presented which he did not believe were read by a single person in the House or out of it—probably not even by the hon. Member who had moved for them. Many Returns were far too voluminous for the information that was really required. There was, however, one aspect of the question to which the hon. Gentleman had not referred. Some of the Departments of the Government were overmanned; and, whenever a proposal had been made for reducing these establishments, it had been said—"We must keep up a certain number of clerks in order that Returns called for by the House of Commons may be produced with despatch." He did not think his hon. Friend would find the Civil Service very enthusiastic in support of his Motion. He would suggest that a Committee should be appointed to examine these applications, and that no applications should be granted without the consent of that Committee. It was a very invidious task to refuse Returns moved for by hon. Gentlemen, who stated that they were necessary for the public service.

Mr. GOLDSMID said, that some Ministers, and notably the Secretary of State for War, had set a good example by declining to produce Returns, either when the information was already accessible or could be furnished privately and was not worth the expense of publication. It might be said that such refusal sometimes averted difficulty and discussion, and therefore it was an invidious task for Ministers to exercise their discretion and assume the responsibility of refusing to produce Returns that were not of general interest; but nevertheless he thought they ought to run that risk. In his opinion, every application for Returns ought to have the signature of more than one hon. Member, and all hon. Members applying for the Return ought to be interested in obtaining the information sought. He would even go further, and say that no Return ought to be printed unless the application had received the approval of a Standing Committee appointed for the purpose of examining the applications. There were many Returns which were mere waste of paper. A year or two ago one hon. Member had cost the country £1,000 in the matter of Returns. He did not say that that hon. Member would not have been useful to the country at that salary; but he thought no hon. Member, however valuable, ought indirectly to cost the country that sum.

Earl PERCY said, this appeared to be a very important subject in the eyes of many hon. Members. It had been frequently discussed in the House, but no decision had ever been come to. He did not think the Resolution of the hon. Member for Preston was one to which the House would probably consent. Indeed, he saw certain grave objections to the proposal of the hon. Member, and doubted whether the appointment of a Committee of the House expressly to deal with this matter would be advisable. He would suggest that the matter might be referred to a Committee of the House already sitting—namely, the Committee sitting on the question of Public Business.

Mr. NEWDEGATE said, the subject was one of considerable difficulty. He would recommend the adoption of the course pursued in the United States, where the information usually embodied in Returns was published every Session in an abstract form, being supplied voluntarily by the Government to Members in that form at the commencement of every Session, so that they were thus put in possession of much valuable information bearing on the legislation of the year.

General Sir GEORGE BALFOUR said, he had no objection to useless Returns being diminished. There was no greater advocate for economy than himself. There existed many openings for effecting economies in the ill-digested and often imperfect and sometimes unnecessary printing. He, however, contended that a Member of Parliament was justified in asking for such information as he considered necessary in the fulfilment of his duty; but hon. Members ought not to have thrown upon them the onus of asking for such information; it should be furnished by the Government, and Members ought to be supplied with an official abstract of the information now scattered over many Returns; and every Department ought to be required to compile and lay before Parliament annual Returns of all matters relating to their offices. The Statistical Abstract, or Military Blue Book introduced into the War Office by the present Secretary to the Treasury, while he was Financial Secretary to the War Department, had been in this direction; and, although very imperfect and very meagre, yet that Abstract had already reduced the number of Returns asked for from that Department. He would now earnestly urge the hon. and gallant Gentleman to introduce some similar compilation of financial Returns into the office which he now held. There were already some financial Returns entered in the Statistical Abstract; but there were many other Returns of a most valuable character moved for in former years which ought to be kept up, and brought down to the present day. Amongst those documents there were some Returns moved for by the present Chancellor of the Exchequer, when out of office, which ought to be rescued from the oblivion which necessarily attended an undigested mass of Returns. There were also Returns of a most valuable character which his relative, the late Mr. Hume, obtained. At the present day, there was the Return moved for annually by the right hon. Gentleman the Member for Pontefract (Mr. Childers) which ought to be furnished by the Treasury, without entailing on the right hon. Gentleman the onus of moving for it. Indeed, no one who had taken an interest in the records of former days could fail to deplore the neglect which was exhibited to the work of former years. It was to the unaided and often opposed exertions of Members that they owed the far greater regularity which now existed as compared with former periods, in their financial affairs. He himself had tried to obtain useful information. One Return, relating to harbours, was of great value. It showed an expenditure of public money to the extent of £10,000,000, laid out since the beginning of this century, and nearly all the outlay had been uselessly spent. With that knowledge on his mind, he thought that hon. Members ought to be aided in their efforts to expose defects and to obtain information. He protested against the proposal that he, as a Member of Parliament, was to go to the clerks—though he had a high respect for them—and demean himself by asking "What is to be the cost of this?" or "What will be the length of that?" That was a step which no Member of that House ought to be asked to take. He, at all events, should not take it. He would rather go without his Return altogether.

SIR GEORGE BOWYER said, that this matter could not be dealt with by any specific Resolution or regulations; but must, to a great extent, be left to the discretion of hon. Members and the Government. It frequently happened that a Return was moved for, not because a hon. Member himself required it, but because some of his constituents wrote to him requesting that he would obtain it. This led to great expense. He thought the Government might reduce the Returns by pointing out, when an hon. Member asked for an expensive Return, what the Return would cost.

MR. CHILDERS said, though they were anxious to go into Committee of Supply, the time spent on this matter was by no means thrown away; because, undoubtedly, the subject was not an unimportant one. No one could fail to see that the statistical Returns obtained on the Motions of hon. Members were often redundant and useless. A vast mass of undigested Returns was placed before the House which was calculated rather to confuse than to inform the minds of hon. Members, and given in a manner unworthy of this country and in a much less authentic form than was the case in the United States, in France, and even in many of our own Colonies. He happened to be at the present time Chairman of a Commission which was examining the whole question of public statistics, and which would probably produce a Report which would be found useful in dealing hereafter with Motions for detailed Returns, as reference might be made to it when it was important to know in what exact shape additional details should be given; but this would not be enough, and he ventured to throw out for the consideration of the Secretary to the Treasury, whether it would not be possible to appoint some small standing Committee to stand impartially between hon. Members moving for Returns and Her Majesty's Government, and advise whether they should be granted in whole or in part; for often the cream of a Return was contained in half-a-dozen lines, and all the rest need not be printed. It would, of course, be necessary to be very careful in the carrying out of any such plan; for the faintest suspicion that it was intended to prevent Members from obtaining the fullest information from the Departments would be fatal to the interposition of any check.

COLONEL STANLEY said, his hon. Friend the Member for Preston ought to be satisfied by the discussion which had been held that he had done good service in bringing the subject before the House. He would have seen, too, that there was a general agreement in the principle he had advocated and in the object he had in view; and though it would be his duty to object to the actual mode in which his hon. Friend proposed to remedy the present evil, still he must say personally, and on behalf of the Government, that his views were to a great extent in harmony with those of his hon. Friend. There could hardly be a doubt as to the inconvenience to, and disturbance of, the more immediately practical duties of the public Departments from their being from time to time required to prepare large and voluminous Returns. To speak generally, Returns consisted of four classes—those which furnished information which the House had an undoubted right to possess; information moved for to be used for the purpose of practical discussion; Returns of general interest, and, in addition, Returns—and they were growing in number, he regretted to say—for which hon. Members moved having no interest on the subject-matter themselves, but asked for because they were requested to obtain the information by some constituent. They had had various suggestions from different parts of the House as to the mode in which the evil spoken of might best be met. The expense incurred was not the most serious part of the evil, although it was considerable. If hon. Members would look at the Return of 1875, No. 473, they would find a most instructive column, which showed the number of copies sold, and it would be seen that the Returns which cost most realized least from sale to the public. These, he imagined, were the Returns which his hon. Friend desired to restrict, not only on account of their cost, but also on account of the disturbance they caused to the business of the public Departments. With respect to the suggestion that Notices of Motions for Returns should be referred to the Statistical Committee, it was certainly worthy of consideration whether that Committee or some modification of it might not perform the functions with respect to Returns which were fulfilled with respect to accounts by the Public Accounts Committee. Every hon. Member would be guided by due deference to the Speaker in approaching a matter which applied individually to himself; but it should not be forgotten that the right hon. Gentleman was materially assisted by the Printing Committee in the selection of documents to be printed. In many cases, the labour imposed on Departments by requiring them to make Returns was very great, and the clerks in the Civil Service had already quite as much work to do as they could conveniently get through. Indeed, when a voluminous Return was moved for and had to be presented within a given time additional mechanical assistance was often required. The hon. and gallant Member for Kincardineshire (General Sir George Balfour) had referred to an alteration supposed to have been made at his instance in the Returns laid before the House by the Secretary of State for War. He must disclaim undue credit in regard to that change, and must say that his right hon. Friend the Secretary of State was answerable for the form in which the Returns were laid before Parliament. No doubt considerable convenience had accrued from that alteration; for, when information had been laid before the public in a form that was clear and easy to understand, the Secretary of State or the head of a Department could point to the information thus given and decline to supply it again in a slightly varied form. While agreeing in the main with what had fallen from his hon. Friend the Member for Preston, and from those hon. Members who had supported him, he was bound to demur to the exact terms of the Resolution. He must therefore oppose it, although it might be possible for the Government to carry out its intentions in a different form.

Mr. HIBBERT said, he thought it desirable to separate the Returns into two classes—those which ought to be printed and those which it was not desirable to print. There were many Returns which, although very valuable, need not be distributed. Supposing a Committee were appointed to consider this point, they might throw out some valuable suggestions. Last year he moved for a Return; but, as its printing would have been very expensive, he thought it quite sufficient that it should be merely laid on the Table.

Mr. MITCHELL HENRY remarked that Returns were not necessarily printed under the existing system. When a Return was made up in manuscript, the Librarian of the House communicated with the Member who had obtained it; and, in some instances, either the hon. Member himself, or the Printing Committee took action to prevent the country being put to the expense of printing. He trusted, however, that the Secretary to the Treasury would not suppose that hon. Members were unanimous on this subject of Returns. In an expenditure of £75,000,000 a-year the saving effected by the kind of supervision proposed would be perfectly immaterial. Returns were useful, not to Members only, but to persons outside the House, and might be circulated by hon. Members in quarters where they would be justly appreciated. Statistical Returns had always been distasteful to Governments, who naturally did not wish to present Returns relating to their own particular Departments. The sale, also, of Returns gave no criterion of their value, because many of them were digested and re-appeared in abstract in various useful publications. *The Statesman's Year Book*, the *Financial Almanac*, and other publications of the same kind would be impossible unless the House of Commons provided information. He did not sympathize with this Motion. What the House ought to do was to endeavour to make Returns much more useful by allowing hon. Members to send them through the post without charge, as had been frequently advocated by the hon. Member for Edinburgh (Mr. M'Laren).

MR. M'LAREN wished to make a suggestion which, he thought, would save the necessity for a great many of the Returns that were now made. There were two Reports made annually, one from the Customs and the other from the Inland Revenue. These Reports were very inexpensive, and he ventured to say that if these two Reports were not published as Blue Books, thousands of pounds would be expended on Returns. He would suggest that other Departments should do as the Customs and Inland Revenue did. The Board of Trade should issue one or more small Blue Books concerning their different departments, the Home Office should issue one or more, showing the sums expended and business done by their Department, and the War Office should act in the same way. In this way the necessity for many Returns would be got rid of.

Question put, and *agreed to.*

Main Question proposed, "That Mr. Speaker do now leave the Chair."

NAVY—DESIGNS OF SHIPS OF WAR.

MOTION FOR A SELECT COMMITTEE.

MR. SEELY, who had given Notice of his intention to move—

"That a Select Committee be appointed to inquire into the system followed by the Admiralty in obtaining and settling designs for ships of war, and carrying such designs into execution when adopted; and to report whether any and what improvement may be effected in that system,"

said: The Motion which I have put upon the Paper is apparently of a technical character, but in reality it is not so; for it is not my desire to express any opinion upon the comparative merits of various types of ships, or anything of the kind; nor do I wish to weaken or lessen the responsibility of the Board of Admiralty. All I ask is that the House should appoint a Committee to inquire into the arrangements which at present exist for designing and building ships of war; and I think I may say that those who have paid any attention to this subject are aware that those arrangements are not very perfect—to say the least. Many of those who are acquainted with the system under which our ships of war are designed are of opinion—and I am one of them—that a considerable amount of money has been foolishly expended, and that our ships have not been made as efficient as they might have been. On the other hand, there are those—in fact, this is very evident, because the system has remained without much change from year to year—but I say there are those who think that the system is, at least, tolerably perfect. I now ask that a Select Committee shall be appointed to examine into these opposite opinions, and to advise the House whether or not any improvements can be effected. I do not think there will be any difference of opinion between myself and my right hon. Friend opposite (Mr. W. H. Smith) as to what the present system is. Nominally, the Controller of the Navy is responsible for all the designs of our ships of war. He it is who, nominally, advises the Board of Admiralty; but we are well aware that, practically, the Controller of the Navy is not the real man who does advise the Admiralty. He knows but little of naval design—indeed, he knows nothing but what he may have picked up when he has been the Superintendent of a Dockyard; and the men who really design our ships of war are five naval architects at Whitehall, assisted occasionally by two engineers. They are termed the Council of Construction, and they make Reports to the Controller. Sometimes the Report is signed by the President of the Council, and occasionally he says his colleagues concur. Sometimes a particular member of the Council reports independently of the Controller. I take this from evidence given by Mr. Barnaby to the *Magæra* Commission (Report, page 381). And sometimes the designs are made by order of their superiors in office, but not approved by the Constructors themselves. I state this on the authority of my hon. Friend the Member for Pembroke (Mr. E. J. Reed). In a letter to *The Times* of the 19th January, 1877, my hon. Friend said—

> "There are two or three ships now in the Navy, designed by myself in accordance with instructions from those who were above me in authority, some of the leading features of which I never approved, and the origin of which I never knew."

Then I say that, this being the system, there is but little responsibility—it would be difficult to fix where the responsibility is. And here, again, I must quote the opinion of my hon. Friend the Member for Pembroke, because, when I brought forward my Motion on Admiralty Administration last year, which he did me the honour to second, he said that—

> "He was convinced that responsibility for the construction of the Navy there was none—that it was a gross absurdity to speak of it. There was absolutely no one who, if a ship were designed ever so badly, was responsible for the fact; or who, if an engine were ever so defective, could be held responsible."—[3 *Hansard*, ccxxxii. 1480.]

We are, in fact, dependent upon this Council of Construction at Whitehall for all our designs; and that this system has been objected to from time to time is tolerably evident. In 1860, Lord Clarence Paget, who was then Secretary to the Admiralty, said (Royal Commission on Naval Yards, 1860, Report, p. 32) that the master shipwrights and others should prepare plans—as well as the authorities at Whitehall—to be considered by a Committee. I am giving the sense of what was said, in order to avoid taking up too much of the time of the House. The Duke of Somerset, when he was examined before the Select Committee of this House on the Board of Admiralty in 1861 (Report, p. 67), said that we ought to seek information in every possible way, by all forms of inquiry, and that then the Admiralty should take the responsibility of deciding. In 1861, also, Admiral Elliot, when before the same Committee, said he thought it desirable that there should be a Committee of scientific men—he went so far as to say that they should be independent of the Controller—to which Committee all designs should be submitted. In 1868, upon a Motion which I brought before the House for a scientific Committee of Inquiry with regard to our ships of War (3 *Hansard*, cxciii. 1139), my right hon. Friend the Member for Pontefract (Mr. Childers) expressed his wish that some plan could be adopted by which the Admiralty could obtain a certain amount of scientific inquiry and advice from outside. In 1871, the hon. Baronet the Member for Portsmouth (Sir James Elphinstone) brought forward a Motion in this House (3 *Hansard*, ccv. 1823-6) for a scientific Committee. The late Mr. Corry, in speaking on that Motion, said that he had served with three Controllers; that he was never satisfied altogether as to designs; that he should like to see them referred to a Committee of scientific men, including naval officers; and that he had often had most valuable suggestions from naval officers with regard to the designs of ships; but unfortunately they generally came after the ship was built. And on a Motion made by my hon. Friend the Member for Hastings (Mr. Brassey) for a Royal Commission, on the 28th March, 1876 (3 *Hansard*, ccix. 247), my right hon. Friend the Member for the City of London (Mr. Goschen) pressed upon the Admiralty

> "the great advantage of getting the brains which were outside the Constructors' Department."

Sir Spencer Robinson—a man of great experience and of large ability—in a letter to *The Times* on the 1st January, 1878, advocated the appointment of an Examining Council to check the calculations of the Constructors, and to obviate the necessity of repeated and extensive alterations while ships are in course of building. *The Times*, the leading journal, which has paid, perhaps, more attention to naval matters than any other journal in the Kingdom, and whose statements are generally tolerably accurate, has often expressed doubts with regard to the present system; and on the 29th November, 1875, it had an article containing this paragraph—

"Admiral Sartorius and Mr. Nasmyth join in the cry that we ought not at the present time to leave the design of the Navy, both in kind and in detail, exclusively to the three or four naval architects who form or direct the Constructive Department at Whitehall. There is no other country which entrusts so much power and responsibility to so small a body of public servants."

I have thus quoted four First Lords, one Secretary to the Admiralty, one Controller of 10 years' standing; Admiral Elliot, who was a Member of the Committee on Designs in 1871; Admiral Sartorius, Mr. Nasmyth, and *The Times*. And when I mention these First Lords, the question, of course, naturally occurs —If it was their opinion that the Constructive Department might be improved, how was it that that was not done? It is impossible to say; but there may be an atmosphere surrounding official Gentlemen which is very different from the atmosphere that gives what I may call light and strength to the world outside. But be this as it may, the fact remains that they have expressed doubts as to the system; and the fact also remains that that system is still what it was years and years ago. I must also refer to the fact that there have been many Committees—both of the Admiralty and of the two Houses of Parliament—that have sat to inquire into the designs for our ships of war and matters connected therewith. In 1841, 1842, 1847, and 1848, there were Committees of master-shipwrights and scientific men appointed to examine, and sometimes to make, designs. In 1860, there was a Royal Commission to inquire whether the system of shipbuilding in the dockyards had been efficient and the expenditure judicious. In 1861, there was a Select Committee of this House appointed with the same object. In 1869, there was a Committee to investigate the design of the *Devastation*. In 1871, a Committee was appointed "to examine the designs upon which ships of war have recently been constructed," and to advise what improvements and modifications might be made therein. Now, that this was a Committee throwing considerable doubt upon the merits of the Constructive Department is evident from the observations of Sir Spencer Robinson, who, in writing to the then First Lord (Mr. Goschen), on the 25th November, 1872, said this Committee's appointment was—

"An expression of doubt on the part of the Admiralty of the day whether they, their predecessors, or their servants, were competent to fill the posts entrusted to them;"

and

"an accusation against all the public officers who had administered the Naval Service"

—especially the Controller (Sir Spencer Robinson) and the Chief Constructor (Mr. E. J. Reed). Then, in 1871, also, there was a Committee of the Lords to inquire into the practical working of the Board of Admiralty. In 1876, my hon. Friend the Member for Hastings (Mr. Brassey) brought forward a Motion for a Royal Commission; and the late First Lord (Mr. Hunt), whose loss we all deplore, said he was

"prepared to agree to the appointment of a Committee such as sat in 1871;"

and—

"It seemed to him not unreasonable to accept all the assistance they could obtain, both outside and inside the Admiralty, as to this important question, upon which the safety, honour, and dignity of the country mainly depended."—[3 *Hansard*, ccxxix, 254.]

By consent, that Motion was withdrawn, and the Committee was never appointed; but the reasons for appointing that Committee are, I hold, as strong now as they were when the consent to it was given. Well, we then come to the case of the *Inflexible;* and I venture to say that if there were only that case of the *Inflexible* to which I could point, it alone would justify me in submitting this Motion to the House. The *Inflexible* had been four years building; she was estimated to cost £521,000; but she will probably cost much more. She was expected to be the most powerful ship in the world; yet, on the 18th June last year, the country was startled by the announcement in *The Times* that the ship had "no stability, independent of her unarmoured ends," and that she would capsize if her ends were destroyed or injured to a certain extent. The article in *The Times* in which that assertion was made was supposed by some persons to be based on a statement furnished by my hon. Friend the Member for Pembroke. But two days later *The Times* said it relied on its own calculations and investigations entirely. On the evening of the day on which that alarming statement appeared—June 18th, 1877—my hon. Friend the Member for Pembroke, in answer to a Question which I put to him in this House, said that the *Inflexible*—

> "Might go to sea with perfect safety for any length of time, provided she did not enter on a naval engagement; but that if she did enter on a naval engagement and was attacked by a shell fire and her unarmoured ends were destroyed, she would be left without stability, and would then capsize."—[3 *Hansard*, ccxxxiv, 2010.]

Naturally, an investigation was asked for; perhaps I may say, naturally, it was refused; and it was not until the country spoke out, and it was evident that Members on both sides of the House were determined to have an investigation into the case of the *Inflexible*, that the Admiralty gave way and appointed a Committee to inquire whether that ship—which had only just been built—had any stability whatever, and whether, in fact, she might safely be sent to sea. Well, then, I have quoted various statements and referred to many Committees, extending over a period of 36 years—from 1841 to 1877. I know very well that it may be said—"Oh, these are only opinions;" but I will now direct the attention of the House to the results of the system, for by them it must necessarily be judged. First, I complain of the manner in which the Constructive Department have clung to old types long after the outside world was satisfied that they were obsolete and ought to be altered. I would especially refer to four matters—The screw propeller, the clothing of our ships with armour, the introduction of the turret principle, and the adoption of compound engines. Now, in 1844, Admiral Bowles, who was a Lord of the Admiralty, wrote a letter to the First Lord (Lord Haddington) stating that France had lately built 17 war steamers, carrying heavy guns, and able to carry large numbers of troops (Appendix, Select Committee, 1861, page 654); but no notice was taken by the Constructive Department of this announcement. In 1847, it came to the knowledge of the Admiralty that France was building an 80-gun screw war-ship. The Admiralty then sent for the Surveyor—he was at that time called the Surveyor of the Navy—Sir William Symonds; and they told him he must build one of these vessels; and he resigned, as he did not like screw vessels. The Admiralty ordered a ship of that sort to be built in 1847—at least, they ordered a design to be prepared in 1847. They ordered her to be built in 1849; but it was not until 1852 that her engines were first tried—that is, eight years after Admiral Bowles had called attention to the fact that screw propellers were being used extensively in France. Well, there can be no doubt about the value of the screw. It was evident by what the Admiralty did afterwards that there was no doubt; because, although in 1850 they had not a single screw-ship of the line, in 1860 they had 53 line-of-battle screw-ships, and 30 screw-frigates. (Royal Commission, 1860, Q. 9,983.) Well, I come now to the case of our ironclads. In 1858, France was building four (Appendix, Report of Royal Commission, 1860, p. 600), when we had no thought apparently of building any; for, when the Navy Estimates for 1858 were introduced, there was no mention whatever of any sum of money being asked for for an iron-clad. Wooden ships were provided for, although Sir Charles Napier and Lord Clarence Paget warned the Admiralty that in a few years from that time wooden ships would be obsolete; and I may say, too, that the experience that was gained during the Crimean War ought to have convinced the Admiralty that the time for building wooden ships without armour had passed by. But they took no notice. However, at last, the *Warrior* was ordered to be built. She was an iron ship, and plated with iron armour; and we then thought that we were going steadily on in the road to improvement. But, in 1863, Mr. Lindsay, then a Member of this House, moved that it was not desirable to proceed with wooden armoured ships; and, in the course of the speech he made on that occasion, he stated that—

> "Although the Admiralty admitted that on the whole an iron ship was stronger than a wooden one, they argued—"

and this he took from a statement signed by the Controller, and issued by the Board—

> "that it was advisable, for certain reasons, to continue the construction of wooden ships, to be plated with iron. Among other reasons for so doing, the Admiralty said they never could depend on the quality of the iron."—[3 *Hansard*, clxix. 1333-7.]

So that, in a country which owes its superiority over other nations to its iron, we have in a public document an official declaration that the Admiralty could not depend on English iron. Well, then, we come to the question of the turret and low freeboard. From 1859 up to 1865, or 1866, Captain Coles was continually battering (if I may so say) at the Admiralty, in order to get them to adopt the turret and low freeboard. At last they did adopt both. They, in 1869, were building only ships with turrets and low freeboard; and then again they reversed their policy, and are now, I believe, building ships with a higher freeboard than ever. I come next to the case of compound engines, as another proof of the dilatory way in which the Admiralty manage their improvements, and refuse to adopt improvements which are recognized as improvements by almost all the outside world. I need scarcely say that the steam engine now forms a more important part of a ship than it ever has before done, and is year by year becoming more important. It will be seen what a great change has been made since engines were first introduced into our ships of war, when I compare the *Warrior* with the present ships. The *Warrior* had a tonnage displacement of 9,681, and her horse-power was 5,092. The *Dreadnought* has now 10,866 displacement, and 8,000 horse-power. And with regard to the superiority of compound engines over ordinary engines there can be no question. Sir Spencer Robinson, when he was examined before the Committee on Designs, in 1871 (Report, page 168), said that they had tried four or five such engines in the Royal Navy; and that the compound engines used 1 3-10ths pounds per hour, where the old engines consumed 3½ pounds. The Committee on Designs reported that the use of compound engines had become very general in the mercantile marine, and that all ships which were to be built in future ought to have them, and that they ought to be applied, wherever practicable, to old ones. Since this Report, Mr. King—to whom I shall have to refer hereafter—he is the Chief Engineer of the United States' Navy, and was sent to this country in order to report upon European Navies—in his Report to his Government, says that there are now nine large armoured ships and 66 other vessels, built or building since 1871, all having compound engines, except a few gun-boats. But the marvel is that the Admiralty did not use them before. There was abundant evidence placed before the Committee on Designs in regard to this question. Messrs. Elder and Co. had been making compound engines for the mercantile marine for 17 years or more. The Pacific Steam Navigation Company began to use them in 1855, and had in 1871 all their 41 ships fitted with compound engines. The Peninsular and Oriental Company had been using them for 10 years; and Messrs. Laird, Brothers, said that all new ships at Liverpool were supplied with compound engines, and many old ones had been re-fitted with them. Now, as an example of the loss sustained by the country in consequence of this slowness on the part of the Admiralty to adopt improvements, I will give the case of the *Euphrates*. Mr. King says—

> "The *Euphrates*, built and engined by Messrs. Laird, Brothers, nine years ago, at a cost for the machinery of 364,500 dollars."

This would be £72,900; but our official Return says £45,315. He goes on to say—

> "Though the machinery was in all respects in good order, it was last year removed to the scrap-heap, and compound engines and accompanying boilers substituted by the same firm, at a cost of 267,300 dollars and the old machinery."

That would be £53,460, besides the value of the engines and boilers removed. I will give another illustration of the evil effect of this dilatory policy on the part of the Admiralty. There are 15 of the existing sea-going iron-clad fleet that have non-compound engines. They have a total horse-power of 78,869; and if they had been fitted with compound engines they would have saved, when at full speed, 35 tons of fuel per hour, or 840 tons per day. That is supposing they saved only one pound per horse-power per hour; but, according to Sir Spencer Robinson, they would have saved nearly double. All these iron-clads have been built since Messrs. Elder and Co. began to put compound engines into mercantile steamships; yet they have only the old engines. Now, I will turn to the ships built since 1861; and this is the most important part of the question. I will not deal with the unarmoured ships, for my hon. Friend the Member for Hastings (Mr. Brassey) —who will do me the honour, I believe, to second my Motion — will take that part of the subject, which is one with which he is well fitted to deal. I will take only our iron-clads. I will take those built and completed up to the year 1876. I take that date because my hon. Friend the Member for Pembroke (Mr. E. J. Reed), in 1876, invited the attention of the House to a comparison of our iron-clad Fleet with the iron-clad Fleets of other nations; and the statements that were then made were of a character to fix the facts, so that there can be no doubt or dispute between myself and my right hon. Friend (Mr. W. H. Smith). Now, my hon. Friend the Member for Pembroke began by stating that he would "throw out of consideration all wooden vessels covered with armour plates"—there were 14 of that class—as already condemned by the Admiralty, or "far gone into decay." There were three other classes that he excluded from the list, represented by the *Hector*, the *Defence*, and the *Warrior*; and these were 10 in number. Therefore, he excluded from what we may assume to be our efficient Fleet 24 of those 39 sea-going iron-clads. Two of the 39 were sunk—the *Captain* and the *Vanguard;* and one—the *Waterwitch*—was of a doubtful character; leaving only 12 effective iron-clads out of a total of 39, built since 1861. The late First Lord, in reply to my hon. Friend, said—

> "The hon. Gentleman (Mr. E. J. Reed) spoke of only 12 ships in our iron-clad Fleet as being worthy to be taken into account as fighting ships. He (Mr. Hunt) would take the number at 11, excluding the *Penelope*, and the sea-going rams."—[3 *Hansard*, ccxxvii. 1905.]

And my right hon. Friend the Member for the City of London (Mr. Goschen), in speaking on that occasion, said that if the statement made by my hon. Friend the Member for Pembroke was "only approximately correct, our naval power was in a state that ought to be remedied." If any corroboration of this be needed, I would refer to the statement of Mr. Hunt—who was then First Lord—in moving the Estimates for 1874, in which he practically condemned 18 of these 24 ships. A gentleman writing to *The Times*, on the 16th October, 1876, under the signature of "Navigans," gave a list of 20 iron-clads which were either "obsolete or deficiently protected by armour;" and these 20 formed part of the 24 excluded by my hon. Friend the Member for Pembroke. Mr. King, the gentleman to whom I have previously referred, names in his Report to his Government 22 non-effective and only 12 effective ships; and the 22 non-effective ships are included in the condemned list of my hon. Friend the Member for Pembroke. So that I should say the corroboration is complete; and it is tolerably clear that, out of the 39 sea-going iron-clads built since October, 1861, 24 are comparatively useless; and this within 15 years of the completion of the first of them—the *Warrior*—and eight years from the launch of the last of them —the *Repulse.* I have references, if anyone would like to see them; but I do not want to take up more time than is necessary. The original cost of these 24 ships was £6,546,802 (Return 297, 1877). "Navigans" gives the cost of the repairs of these 24 ships at £1,076,427, and if I take the same proportion of expenditure for the other four, it will come up to £1,209,727; so that the total expenditure on these 24 ships which are obsolete so far as they are "fighting ships"—to use the phrase of the late First Lord of the Admiralty—would be £7,756,529. Now, supposing that the 12 ships that are effective were all that could be desired, and that we had no fault to find with them, there would have been a large sum of public money —I will not say thrown away, but—as I think comparatively wasted. But there are certain defects in these 12 ships; and they are defects which, as far as I can learn, ought to have been obviated, because they might have been foreseen. The designs of these ships, or at least of 10 of them—all of them with the exception of the *Penelope* and the *Bellerophon*— were submitted to the Committee on Designs in 1871, and they were divided into three classes. The first class included the *Hercules*, the *Monarch*, and the *Sultan;* and the Committee, in reporting, said—

> "When we recommend, as we feel bound to do, that no more ships like the *Monarch* should be built, we consider that our recommendation must be taken to include the *Hercules* and the *Sultan.*"

Thus, three years after the *Sultan* was ordered, and one year after she was launched, the type was condemned. The next class was what is called the *Invincible* class, and it comprised the *Audacious*, the *Invincible*, the *Iron Duke*, the *Triumph*, and the *Swiftsure*—besides the *Vanguard*, which was afterwards lost. Of these, the three first were ordered in 1867 and completed in 1869-70; and the two last were ordered in 1868 and completed in 1870. The Committee recommended several alterations; the two principal alterations being that they should have stronger bottoms and thicker armour. Mr. Pearce, who is a member of the firm of Messrs. Elder and Co., and who superintended the building of the *Audacious* and the *Invincible*, in his examination before the Committee on Designs, said that the bottoms of these ships were so weak that they would go to pieces if left aground, or with moderate bumping; and there is no doubt that 360 to 400 tons of ballast each had to be put into them after they were afloat, in order to bring them down to the proper draught of water, and to give them the requisite stability (Return 250, 1865). Well, then, we have two remaining of these 12 ships, the *Devastation* and the *Thunderer*, which were designed in 1869. They were both alike. They were to be breastwork monitors, with low freeboard. The freeboard was to be 4 feet 6 inches for a length of 200 feet, and 9 feet 3 inches for a length of about 70 feet of unarmoured forecastle. Well, the building of these ships went on with no interruption until the Committee on Designs met; and when the designs were put before the Committee, the Constructors recommended that they should have superstructures to raise their sides for about 150 feet amidships to a height of 11 feet 6 inches; so that there would be only about 70 feet left with the 4 feet 6 inches freeboard. The Constructors said it was not necessary to have these superstructures for the sake of stability; but they would increase the stability, and would be convenient. Well, the Committee made rather a singular recommendation; for they advised that the *Devastation* should have the superstructures, but not the *Thunderer;* and I say this is singular, because the vanishing angle of the *Thunderer's* stability would then have remained only 43 degrees, and the Committee said that any new mastless ship of this sort to be built afterwards should have a range of stability of not less than 50 degrees. The Admiralty, however, ordered that superstructures should be put on both ships. It came out in the course of the examination of Mr. Barnaby, with regard to the designs of these ships, that their magazines and engines were in rather a dangerous position; for Mr. Barnaby admitted that "a raking shot, coming from aft or forward," would meet with no obstruction but the one-inch deck plating. The Committee recommended that there should be transverse armoured bulkheads before and abaft the magazines and engines, and the Admiralty adopted that suggestion. Thus, in two leading features, these ships were altered from the Constructors' designs within two years—one was altered by the advice of the Constructors' themselves, and the other by the advice of the Committee. I may here note the changes which each ship underwent. They were designed to have a draught of 26 feet 1½ inches. They floated at 26 feet 8 inches. The armour above water amidships was designed to be 4 feet 2 inches—it was only 3 feet 7½ inches. The upper deck plating was to be 2 inches — it was 3 inches. The breastwork deck plating was to be 1 inch—it was 2 inches. The freeboard amidships was raised from 4 feet 6 inches to 10 feet 9 inches. And these changes, it must be observed, were not in consequence of any new discoveries or from any increased power of the gun; but they ought to have been foreseen when the ships were designed. And I think I may assume that, if the Committee of 1871 had been consulted in 1869, then, in all probability, the changes would have been recommended before the building of the ships was begun, and would then have been adopted. Further, the Committee recommended the Admiralty to consider the suggestions of their Colleagues, Admiral Elliot and Admiral Ryder; and that was with reference to certain suggestions they made likely to remove "grave defects" in these designs. The Admiralty did take this advice or suggestion, as was shown in the case of the *Dreadnought*. She was originally designed to be a larger *Devastation*, and she was called in the first instance the *Fury*. She was described by my hon. Friend the Member for Pembroke as a type of the "monitor form;" and Sir Sydney Dacres then, I think, First Sea Lord, said—"The main feature in the veritable monitor class is the low freeboard." (Appendix, Committee on Designs Report, pages 310-3.) Like the *Devastation*, then, the *Dreadnought* was designed to have a low freeboard of 4 feet 6 inches, except the forecastle, which was to be 9 feet 3 inches. In 1871, the Constructors recommended that a superstructure, such as has since been put on the *Devastation* and the *Thunderer*, should be added to the *Dreadnought*. But how was the ship built? She has now a breastwork carried out flush with the side, and completed across the ship, giving an armoured freeboard 12 feet high and 184 feet long. The forecastle has been abandoned, and a light flying deck substituted at the same height; the armour-belt is completed, forward and downward, instead of armoured bulkheads; the water-tight compartments have been increased, and there is a consequent increase of draught of from 6 to 7 inches. Thus the character of these ships as low freeboard monitors has been changed altogether; so that my right hon. Friend the Member for the City of London, in speaking of the *Devastation*, was justified in saying that the

> "low part of the ship was only 16 per cent of the whole, and it was a mistake to consider 'her' in any ordinary sense of the word a low freeboard ship at all."—[3 *Hansard*, ccxv. 52.]

These facts seem to me to point to the desirability of strengthening the Constructive Department. But I may point out that, in addition to these 39 sea-going iron-clads, we have 12 ships for coast defence. Five of them—the *Prince Albert*, the *Scorpion*, the *Wyvern*, the *Viper*, and the *Vixen*—are only armoured 4 to 5 inches thick, and may be said to be obsolete. They originally cost £535,073. There are five others—the *Glatton;* and four of what is called the "*Cyclops* class"—the *Cyclops*, the *Hecate*, the *Gorgon*, and the *Hydra*. I may mention that the *Glatton* was laid down in 1868, and the four of the "*Cyclops* class" in 1870; and that all were launched in 1871. The designs for these ships were referred to the Committee on Designs in 1871. The freeboard of the "*Cyclops* class" was 3 feet 4½ inches; and the freeboard of the *Glatton* only 3 feet. The Constructors, in reporting upon these ships, said that they might go "from one port to another in favourable weather;" and if they were required to go in unfavourable weather they would have to have superstructures. My hon. Friend the Member for Pembroke (Mr. E. J. Reed) said they were too weak in the bottom, and that the *Glatton* would be unmanageable in heavy seas. The Committee reported in regard to the "*Cyclops* class," that they wanted thicker deck-plating, more water-tight compartments, and stronger bottoms; and superstructures if they had to "encounter waves of a period exceeding 10½ seconds." The *Glatton*, they said, would be better; but they doubted if she would be safe even on the home coast in all weathers; and Admirals Elliot and Ryder recommended that these ships should have superstructures fore and aft to prevent capsizing. Now, every one of these defects that were thus pointed out ought to have been foreseen when these vessels were designed. Their original cost was £756,269. The other two, the *Rupert* and the *Hotspur*, were referred to by the late First Lord in 1876, but not included in his list as "worthy to be taken into account as fighting ships." Thus of 39 sea-going iron-clads built before 1876, 24 are obsolete, 2 were lost, and one, the *Waterwitch*, was an experimental ship; and 12 only remain efficient out of the whole 39. And, of the 12 home-defence ships, 5 are obsolete, 5 were condemned by the Committee on Designs in 1871, and 2 only remain uncondemned. So that out of 51 iron-clads completed up to that time—1876—we had 24 obsolete sea-going ships, 5 obsolete home-defence ships, and 5 home-defence ships condemned more or less by the Committee on Designs. The original cost of all these 34 ships, taken together, was upwards of £9,000,000. Now, there are 9 ships which have been added to the Fleet since the debate in 1876, or are now building. I have referred already to one, the *Dreadnought*. There are 8 others. Of these, 5 are broadside ships—the *Alexandra*, the *Téméraire*, the *Shannon*, the *Nelson*, and the *Northampton*. There are 3 turret-ships—the *Inflexible*, the *Ajax*, and the *Agamemnon*. With regard to these 5 broadside ships, in accordance with the recommendations of the Committee on Designs in 1871, they have thicker armour than the *Invincible* class, the deck-plating has been increased in thickness, they have more compartments, they have either armoured bulkheads or armoured bows. All these alterations, as compared with the latest broadside ships before them, were made in consequence of the Report of the Committee of 1871. So the Constructors' ideas have, in the designs of all these ships, been modified by influences outside the Admiralty. With regard to the turret-ships, I must again refer to the *Inflexible.* I may first say that the design of the *Inflexible*, if it is a credit to anyone, cannot be claimed by the Constructive Department. The design originated in the fertile brain of the hon. Member for Pembroke, and was somewhat elaborated, I believe, in the Committee on Designs; for my right hon. Friend the Member for the City of London (Mr. Goschen) said, in July, 1873, that the *Inflexible* "carried out the views of the Committee on Designs of Ships of War."—[3 *Hansard*, ccxvii. 908-9.] There is another point connected with this ship which I must notice. She does not carry out the views of the Constructive Department, as laid down in their own account of her design; for Mr. Barnaby, in reporting to the Controller in 1873, said—

> "We should not be satisfied with the ship, if we could not say, as we now can, that with any possible amount of damage to the unarmoured ends by shot or shell, the ship will continue to float in perfect safety."

I have already referred to what my hon. Friend the Member for Pembroke and *The Times* newspaper said on this matter last year. The Committee that was appointed to examine the design of this ship has made a Report which is not altogether consistent; for I think that parts of the Report would seem to justify the Constructive Department, while other parts of the Report would certainly bear out the charges which have been made by my hon. Friend the Member for Pembroke. The "Summary" of the Report puts the best case for the Department. It says that the ship is a "safe sea-going vessel," when "intact;" that her "unprotected ends are as well able as the armoured citadel to bear the part assigned to them;" therefore "a just balance has been maintained," and "out of a given set of conditions a good result has been obtained." The Committee further say that the contingencies pointed out by my hon. Friend the Member for Pembroke would only arise if an engagement were prolonged, and if she fought against a preponderating force. They say that if she did continue long in action, and if the force against her were rather heavy, and if her ends were to be destroyed, she would have very little stability left, and must be handled with great caution. And the Committee further say that the ship would then be in a critical state; that her speed and turning power would be too small; that she would find it difficult to avoid either a ram or a torpedo — which would be fatal; that her guns must be worked with great caution; and that no repairs would be practicable at sea. Now, this hardly bears out what the Constructors promised they would do—that is, build a ship "that with any possible amount of damage to the unarmoured ends," "will continue to float with perfect safety." And what are the recommendations of the Committee with regard to this ship—the *Inflexible?* They are, that the cork chambers should be extended; that there should be an increase of pumping power; and that the travel of the guns on their slides should be reduced. And they recommend to the serious consideration of the Admiralty the necessity of investigating, if they build another ship of this kind, whether she should not have more beam in order to give her greater stability. I think they mention in their Report something like 10 feet more beam. Now, there is another point connected with this controversy that I must allude to. Mr. Barnaby, in writing to *The Times* on the 19th of June, 1877, said that she had a range of stability of 48 degrees, and that the Committee on Designs thought 40 degrees would be sufficient. But the Committee on Designs said that such a ship as this ought to have a range of stability of "not less than 50 degrees." This is a very singular error on the part of Mr. Barnaby. I do not know whether it accounts for the faults of the *Inflexible.* But be that as it may, the position with regard to this ship is exceedingly unsatisfactory; and if the charge brought by my hon. Friend the Member for Pembroke be correct, then, of course, the Constructive Department blundered the design and spoiled the ship. The cost of the *Inflexible*, together with her two sister ships, cannot be much less, if any, than £1,200,000. It was proposed to build another ship of the same type; and yet eminent authorities tell us that if these ships went into action as designed they would capsize as soon as their unarmoured ends were shot away. With reference to these ships there was an announcement about a fortnight ago—I do not know whether it was correct—that there were certain alterations to be made; that there were to be certain angle-irons placed on their sides, and that teak was to be put within these angle-irons. And one reason assigned was, that when one of these ships was docked in dry dock she would be liable to collapse—the weight of her armour being too great for the strength of her lower structure; and that therefore she must be shored up. Another reason given was that boats coming alongside might injure her side; so that, according to the statement of *The Times*, teak was to be put on, outside armour 24 inches thick, to prevent her armoured sides being damaged by boats coming alongside. If these ships are so slight in the bottom, they ought to have been made stronger. But I suppose the real reason is, that if these alterations are made, the ships would then have practically broader beam and more stability. So, first, if that is the case, the Constructors designed the ship without the requisite amount of stability; and then they are going to put wood on her sides in order to give that stability; and one of the first things to happen in action would be that that wood would be shot away. There is one other view which I would take of the action of the Constructive Department—I mean the great variety of types, and the little apparent consistency in design. Almost all our new ships differ materially one from another. And here, again, I must refer to my hon. Friend the Member for Pembroke; for, in writing to *The Times* on the 19th of January, 1877, he stated that out of nine new iron-clads then being built, there were seven varieties. I will quote his words. He said—

> "We have, out of nine vessels, all large ships of above 5,000 tons, two instances only in which two ships are alike; or, in other words, in nine ships, all of them large, we have seven varieties."

Well, there is no doubt that this must be very perplexing to our naval officers. And, according to my hon. Friend the Member for Pembroke, it is calculated not only to perplex naval officers, but to turn slight accidents into grave ones, and grave ones into vast disasters; while in the event of war, it would probably transform a well-planned engagement into a terrible defeat. All this my hon. Friend the Member for Pembroke attributes—and I think there is a great deal of truth in what he says—to the maladministration of the Admiralty. Another evil I would complain of is the number of changes made in designs while ships are building. I have shown this particularly in the case of the *Dreadnought*. And I have also to complain of the changes made almost immediately after a ship has been built, even when defects have been pointed out before she was completed. Take, for example, the case of the *Shannon*. Before that ship was afloat, the Constructive Department were, I believe, warned that her rig was wrong, and various defects were pointed out. No attention was paid to these remonstrances, and the ship proceeded to her trial trip; and, afterwards, the very changes which had been advised had to be made, at considerable cost, and, of course, with considerable delay. And, again, another point I wish to mention is the loss of time in shipbuilding. The *Dreadnought* was begun in 1870, and, I need hardly say, she is not finished yet. The *Thunderer* was begun in 1869; she took her trial trip in 1876, and she can hardly be said to be completed now. The *Inflexible* has been five years building; and how much longer she will be I cannot tell. These appear to me to be rather serious evils. My right hon. Friend the First Lord seems to have a genial smile upon his face, and probably thinks these are matters of little moment; but, at any rate, I think we ought to give some consideration to them. And now I propose to refer to the mode in which the French Government proceed with regard to this question. When the Minister of Marine, who is a Minister of State, wants a ship, he first applies for a Vote. He then sends to the different Dockyards a notice that he is open to receive designs for the proposed ship. At each Dockyard there is what may be termed a Constructive Staff, who are able to design and build; and each member of this Staff may send in a design, as well as every Member of the corps of Naval

Engineers throughout the Service, who number 125. They are trained to design ships and to build them; and they have experience of Dockyards, and of duty on board ship, and in Government Departments. Well, when the Minister of Marine has got the designs he sends them to a body called the Council of Works, consisting of 16 members, five of whom are naval officers, four officers of marine artillery, and four or five naval engineers, of whom the Inspector-General is one. These designs are then submitted to what is termed the Second Section of the Council, which is formed of four or five naval engineers, two naval officers, and one officer of marine artillery; so, as hon. Members will perceive, there is a majority in this Section of naval engineers. The Inspector-General—who is a person occupying a position somewhat like that of our Mr. Barnaby—is President. The Second Section of the Council of Works, when it has come to a decision, reports to the Council as a whole; and when the matter comes before the Council of Works, the design is chosen by plurality of votes. The votes are set forth in the Minutes, and nothing is carried unless with the approval of half the Council present, or of half of that part of the Council specially interested in the question. The designer may be called to explain his design; and any member differing from the majority may claim to have his opinion entered on the Minutes. The Council, when it comes to a decision, sends its Report to the Minister of Marine, with the Minutes; and he may lay the design and the papers before the Council of Admiralty. This Council consists of himself as President, five Admirals, one General of Marine Artillery, the Inspector-General of Naval Engineers, or a Director of Naval Construction, and one Commissary General of Marine. Before the subject is taken into consideration by the Council of Admiralty, notice is sent to the Council of Works that on such a day these designs will be considered; and the President of the Council of Works then deputes one of his colleagues to explain the reasons for the Council's decision, and to offer information on their part. I believe all these provisions which I have named are provisions of the law. When the Minister of Marine, who is responsible for the design, determines what design he will adopt, he then sends the design to a particular Dockyard which he selects; and that Dockyard—or, at least, the Director of Construction, at the head of the Engineering Staff of that Dockyard—then becomes responsible; and upon details he has to consult the naval officer who will command the ship, and, generally speaking, to carry out the work without any of those little petty orders which are sent from time to time from our own Department in Whitehall to our Dockyards. In selecting a design, I may explain that no preference is given to rank. The *Rédoubtable*, the largest iron-clad in the French Navy, was designed by the youngest Director of Naval Construction; and the two swiftest cruisers by an engineer. Now, the mode in which the French Government manage these matters is almost in every respect totally opposed to ours. There is considerable rank given to Naval Architects. The Inspector-General, who I have said holds a position similar to our Mr. Barnaby, has a rank equal to that of Rear-Admiral; and the Directors of Naval Construction, one of whom is at the head of every Dockyard, would rank with Captains in the Navy. As I have said, there is a very great difference between the French and our own practice; and it would be well I think that the Committee for which I ask should see, at any rate, whether some improvement might not be made in our own system. At all events, it is clear that in France there is open competition amongst 120 persons. In England the work of designing is confined to some four or five men. In France, to be successful in design is to get increased pay and higher rank. The designs, before they are adopted, are criticized—first, by a section of the Council of Works, then by the whole Council, then by the Council of Admiralty. Here, in England, there is no one to criticize designs, except my right hon. Friend the First Lord and his four Colleagues; and I apprehend he will scarcely say that he knows much about what will be necessary for the stability of ships, and many other things which are of essential importance in designs for ships of war. Practically, the matter is left to three Naval Lords; and I think it is a question well worthy of consideration whether, not only the mode of obtaining designs, but the mode of settling them, could not be improved. At any rate, it appears to me perfectly clear that the Board of Admiralty must be almost entirely dependent on Mr. Barnaby and his colleagues. If they say they think a design good, I do not see how my right hon. Friend can say anything different. I am of opinion that under a different system from that which we have—one under which designs could be sent in from the Dockyards and the country at large, and under which they could be considered by a fairly constituted tribunal—the *Audacious* class would have had stronger bottoms. I think the *Cyclops* class and the *Glatton* would have been more seaworthy; and and I think the *Devastation* class would have had sufficient freeboard and armour-protection. Take the case of the *Inflexible.* Under the monopoly that we now have, we are building three ships of that class, and they are said to have great defects. I think that there, again, with open competition and proper scrutiny, the result might have been very different. And I think it is not unlikely that if designs had been obtained by open competition, my hon. Friend the Member for Pembroke might have offered designs; probably others of large experience would have done so; and, at any rate, I think that could not be a disadvantage. There is only one other point I desire to touch upon. My proposed Motion refers not only to the manner of obtaining designs, but likewise to the manner in which we build our ships. This is an old subject with me, and I will not detain the House long with regard to it. I will only express my opinion by saying that I think there are strong objections to the manner in which we build our ships. I object to all the Dockyards being managed entirely from Whitehall. If the Controller and those who are with him at Whitehall were the ablest men in the country, I say that more ought to be left to the several Dockyards; and that we ought to be able to place more reliance on those who are in them. But I object to the present mode, not only on that ground, but because the Controller himself, who is nominally responsible, has really no knowledge, or scarcely any knowledge, of the subject; and then, again, that each Dockyard is managed by a gentleman who, whatever other qualifications he may have, certainly has not the one qualification of knowing the work he has to superintend. Instances without end come to mind, which show that the Admiral Superintendent of a Dockyard is totally unable to grapple with all the various business industries which are carried on there. I say that such a system as that which we adopt in the management of our Dockyards is almost a disgrace to us, and is unworthy to be called a system at all. It is a complete muddle. No private business is managed in a similar way, and I certainly think it would be very desirable, as *The Times* said on December 4th, 1875, to

> "make each dockyard complete and efficient in itself, with its own manager on the spot, and a general superintendence only in the Controller at Whitehall."

Well, I have now brought my observations to an end. I scarcely know what my right hon. Friend will say. Perhaps he may say that, after all, our Fleet is stronger and better than the Fleet of any other Power. Well, I admit that. But then, I would observe to hon. Members, that the cost is a great deal more. The second maritime country in the world does not spend more than £7,000,000 or £8,000,000 a-year upon its Navy; while we are now spending upwards of £11,000,000. And surely England, with its great shipbuilding capacity and mechanical skill, ought not to be at such a disadvantage. My right hon. Friend may say that Mr. Barnaby and his colleagues are as able men as we could get. That I do not mean to dispute. But if that be so, and if blunders and errors are so great, that only shows that the system is wrong. And, therefore, I do press for a Committee. I know my right hon. Friend may say that perhaps it would give trouble to the Department. Well, I admit that; but I say that, upon the whole, the Committee would be a benefit; and that the advantages arising from it would far outweigh any disadvantages. For, supposing the Committee to decide that the present system is the best that can be devised, and that no improvement is possible, still the advantage of having such a Committee would be great; because then my right hon. Friend would be able to ignore the opinions of my hon. Friend the Member for Pembroke and other authorities. When those authorities cast discredit on the system, Mr. Barnaby and his colleagues cannot have very comfortable feelings; and it would fully compensate them for the trouble which they would undergo from an investigation by a Committee, if they obtained an opinion that such a high authority was satisfied. But if, on the other hand, it should turn out—as I expect it would —that an improvement could be made in the system; then the trouble of the Departments would be fully compensated by the national benefit and the saving of public money which would ensue, and by getting a more efficient Fleet. I should be loth, very loth, to believe that all the errors of the past were inevitable; and that a series of blunders similar to those I have pointed out is in store for us in the future. I believe, on the contrary, that with due care and with proper investigation, those errors—I do not say all of them, because we are passing through a transition state—could be avoided; but I think many of them might be avoided; and I also think that, if we will only bring the skill that is in the country to bear upon this question, we may avoid many dangers in future, which otherwise we should, I fear, encounter. I beg, Sir, to move my Resolution.

MR. SPEAKER pointed out that this Motion could not be put as an Amendment on going into Committee of Supply. It had already been proposed and negatived.

LORD HENRY LENNOX, who had given Notice that he would call attention to the Report of the Committee on Her Majesty's Ship *Inflexible*, said, he regretted he could not concur with the hon. Member who had just sat down in the course he asked the House to adopt. He could never be a party to the appointment of a Committee which he believed would hamper the action of the Admiralty and diminish the responsibility of those who administered its affairs. He once had the honour—and for some years—of holding a responsible position in that office, and he knew the very great difficulties which attended the Constructive Department, as well as the First Lord and the Board in all their proceedings where cases of novel designs were introduced. It could be clearly shown that with respect to those novel types of ships there existed the same errors of calculation of which so much was heard in 1872. He remembered well the difficulties which occurred at the time of the building of that unfortunate ship the *Captain*, and all the suggestions which were made, but not listened to, and the House knew with what result. These facts made him acquainted with the difficulties with which the First Lord and the Council of Construction had to deal in reference to ships of a novel type. Because ships of the present day were less sightly than the old "wooden walls," he did not refuse sanction to the progress of science in the construction of ships. He was no alarmist with respect to novel ships. His right hon. Friend the Member for Pontefract (Mr. Childers) would agree with him that when the question as to the *Devastation* was before the House, he had done his best to allay the apprehension which prevailed; and he hoped he might lay claim to be free from prejudice in the few remarks he had to make about the *Inflexible*. A great deal of discussion occurred at the time to which he referred in reference to the safety of the newly-designed ships. The right hon. Gentleman the Member for the City of London (Mr. Goschen) said of the *Inflexible*—

> "The requisite reserve of buoyancy in the event of the unprotected parts being penetrated to any extent is secured by the central armoured citadel."

The hon. Member for Pembroke (Mr. E. J. Reed) said—

> "It is a matter of perfect indifference how much the ends are knocked about by shot and shell;"

and Mr. Barnaby's original view of the ship was—

> "We hope, by subdivision and cellular sides, to prevent any appreciable increase of immersion or decrease of stability; but we should not be satisfied with the ship if we could not say, as we now can, that with any possible amount of damage to the unarmoured ends by shot or shell, the ship will continue to float in perfect safety before any damages are made good."

If it had not been for events that occurred last summer, he should have wished to look at the future rather than at the past of the ship; but in the spring of last year attention was called to the fact that this ship in building had greatly departed from the idea of its designer. Hon. Members were aware of the Correspondence on this subject which had passed between the hon. Member for Pembroke and the Board of Admiralty and the Council of Construction. He did not desire, for many reasons, to allude to the Correspondence in detail, because there was much in it that was very painful to his mind. It showed, however, the difficulty that the designer of a new type of ship had in accepting in good humour and in good faith the criticisms which were offered upon his design. He gave the fullest possible credit to the Board of Admiralty and to the Council of Construction for their patriotic wish to give the nation the best type of ship; but he claimed equal justice for himself and for the hon. Member for Pembroke. At this point in the Correspondence, the Leviathan of the Press came down upon those engaged in it and made certain remarks upon the ship, to the effect that if the ends of ships of the *Inflexible* type were shot away, the vessels would be absolutely without any stability whatever and must capsize. He must here say that at the time those remarks were printed by the Editor of *The Times*, that statement was absolutely and undeniably true. The right hon. Gentleman the then First Lord of the Admiralty (Mr. Hunt), however, came down to the House and gave the most positive contradiction, on the authority of his naval Colleagues, to the statement of the hon. Member for Pembroke. He wished the House to observe that the Admiralty had already shifted its ground with regard to this ship. Originally, they said that it did not matter whether the unarmoured ends were shot away or not, and now it was declared by a very distinguished First Lord of the Admiralty, taking up a new ground, that it was impossible that the unarmoured ends could be shot away. The Report of the Committee, however, had put that point beyond all doubt. He hoped that the right hon. Member for the City of London and the present First Lord of the Admiralty would not think that he was making the slightest reflection upon their ability or their good faith in the criticisms he was about to make upon their statements with regard to this ship. Everybody must, of course, perceive how difficult it was for a civilian placed in the position of the First Lord of the Admiralty to arrive at a true judgment with regard to any proposed new type of vessels of war amid the conflicting statements made by scientific men to whom credit was equally due. He should have been willing to have allowed the matter to rest where it stood had not the Constructor of the Navy quietly stated that this was a matter of opinion between the hon. Member for Pembroke, on the one side, and himself, on the other, on a difficult and technical question; and that, as he did not agree with the hon. Member for Pembroke, were he to build another *Inflexible*, he should make no difference in its form and weight in the direction indicated by that hon. Member. Seeing that we had, then, already one *Inflexible* far advanced and two others in progress, he thought that, after that statement of the Constructor of the Navy, it was high time that the whole circumstances of the case were laid before the House, in order that the country might bring to bear upon the Admiralty the pressure of its wish that the matter should be fully inquired into. The first point which he trusted the right hon. Gentleman the First Lord of the Admiralty would explain in his reply was one which arose out of a statement in the Parliamentary Papers on this subject, and which probably might be, and he hoped was, the result of a clerical error, although, as it stood, it vitally affected the question of the stability of the *Inflexible*. In these Papers there was a comparison instituted between the *Inflexible* and the *Devastation*, which was to the following effect:—

> "*Inflexible*, as assumed in model, unarmoured ends giving no stability. Angle maximum stability, 13½ deg.; range, 30.—*Devastation*, with forecastle riddled and giving no stability, 9 deg.; range, 34½."

That would be a very fair comparison between the two vessels; but, if hon. Members would look at the diagram presented to the House, they would find the following words attached to it:—

> "*Inflexible*—Fully equipped, ends only riddled, therefore still with stability. Angle maximum stability, 13·5; range, 30."

He hoped that the First Lord of the Admiralty would explain whether those figures were the result of a clerical error or not. He now came to a most important point—namely, the nomination of the Committee of July last. That Committee was appointed with the view of declaring that the ship was all that she ought to be; but he confessed that the result reminded him of the story of Balaam, because nothing could be more condemnatory of the

Inflexible than their Report, when it was carefully read over. It would be the height of impertinence were he to find fault with the nomination of that Committee, which was composed of eminent scientific men, who were of the highest honour and who were most painstaking. The great mistake, however, made at the outset was in the Instructions which were given to the Committee. These were of a most faulty character. Instead of being asked to give an opinion on the properties of the ship, they were called upon to answer two or three questions which had already been decidedly answered by the First Lord. The Committee's labours were therefore cramped, and the foundation was laid for a somewhat favourable Report. He confessed that, while the facts which they gave were wonderfully interesting, the conclusions the Committee drew were purely speculative. On the subject of uncertainty of fire, they said that there would not be much danger of the ends being blown away, because of the uncertainty of artillery fire at sea. In his humble judgment, however, these difficulties would tell as much in favour of the enemy as of the ship—assuming the enemy to be of the same size and to carry guns of the same weight. The danger to ships of the *Inflexible* type would be increased if they had to contend against small and swift vessels throwing shells of heavy bursting power; and, furthermore, they would be in great danger if they had to fight their way through heavy batteries placed on shore, as had happened in several of the wars in which our Fleet had been engaged. On the question of injury to the unarmoured ends, the Committee had come to the conclusion that they would only be gutted and riddled, in which case the buoyancy of the ship would not be interfered with, but her speed would be reduced. On that point Mr. Froude had made some experiments for the Committee, which showed that, in the event of any serious injury to her bow or ends, she could only steam at the rate of seven knots an hour; but, in the event of her being struck in other and less critical points, she could steam nine knots an hour. If the House of Commons was content that a man-of-war should only steam at a rate of nine knots an hour, he could find them persons who would be willing to build them ships at less than half the cost of the *Inflexible*. In the summer of last year an article appeared in the Press asserting that the *Inflexible* had no stability whatever; and the following day the Chief Constructor wrote to say that the statement was not true; but, in answer to that denial, he would say that the sole amount of stability which the ship now possessed in her extreme case of riddling and gutting had been since given by the removal of her masts and the re-stowage of the chain cable, so that when the statement was originally made it was true. Then, as regarded the extreme condition of the vessel—her ends riddled and gutted and the cork blown out—in which case she would derive no buoyancy whatever from her unarmoured ends, the Committee said they considered that most extraordinarily improbable; he was glad to see they did not say it was impossible. But he would point out that it had been shown that in this condition the ship could not turn at half her speed—seven knots an hour—within an area of 1,210 feet, without meeting the same fate as the *Captain*. The running out of the guns, also, would be a serious element of danger when the ship had arrived at this extreme condition of having her unarmoured ends riddled and gutted. The Committee said that she had enough of stability to make her safe in smooth water, but they followed that up by saying that she must be handled with the greatest possible caution. It was doubtful if she could turn with sufficient rapidity to avoid the blow of a torpedo, or the ramming of a larger vessel. A good deal of importance was attached to the immense floating power of cellular compartments stuffed with cork. There was a great deal of difference on this point, and his hon. Friend the Member for Pembroke told the Committee of Designs that a shell might burst in the ship and blow the cork out. He entreated the First Lord of the Admiralty to look at the recommendations of his own Committee, and especially at the passage in which they said that the best mode of dealing with shot and shell in the unarmoured portion of the ship should be made the subject of careful, systematic, and experimental inquiry. It was, no doubt, true that a quantity of water might be admitted to give the *Inflexible* stability; but the Constructor of the Navy said that the great advantage of the citadel was that it should be plated with 24 inches of iron, and if they admitted a large quantity of water, they would immensely lower her freeboard, and deprive her of the value of this thickness of plate. He earnestly appealed to the right hon. Gentleman the First Lord of the Admiralty not to allow the *Inflexible* to be sent to sea until every one of the recommendations of the Committee respecting her had been adopted, and to cause the lines of the *Agamemnon* and *Ajax*, which were now in the infancy of their being, to be rectified to an even greater extent before they were added to the Navy. If war had been declared and the *Inflexible* had been ready to go to sea, he would have kept silence, and allowed her to take her chance; but he understood she would not be ready for two years to come, so there was ample time for the right hon. Gentleman to show how worthy he was of the high office which he held by at once setting to work to effect the changes which his own Committee recommended. There were some statements in the Committee's Report which he could not reconcile. In one place they said they considered that "a just balance had been maintained of her design," and that "out of a given set of conditions a good result had been obtained." If the ship was a model for balance, if she was the perfect structure represented, what was the meaning of this other extract from their Report—

> "We, therefore, in conclusion, desire to bring under the very serious consideration of their Lordships the necessity, before proceeding with the construction of more vessels of the *Inflexible* type, of thoroughly investigating whether by more beam their safety may not be largely increased, without injuring their speed and efficiency."

In conclusion, he had to say, that in offering these observations to the House, he had been actuated solely by a sense of public duty, as he was perfetly sure the right hon. Gentleman the First Lord of the Admiralty, Mr. Barnaby, and the other naval authorities, had also been in all that they had done.

Mr. T. BRASSEY: In seconding the Motion of the hon. Member for Lincoln (Mr. Seely), I wish to explain that, while I give my hearty support to his proposal, I see no cause for general dissatisfaction with our Navy. The zeal and ability displayed throughout the recent crisis of preparation for war, in the Fleet, at the Admiralty, and the Dockyards, have been such as to disarm criticism. But though I gladly acknowledge that we possess a Fleet in which the country may justly take a pride, I venture to think that, with more consideration and forethought in our naval administration, we might have done better. I confidently believe that a searching Parliamentary Inquiry at the present juncture would be of great assistance in framing a policy for the shipbuilding of the immediate future. I need not enter on a long review of our past naval history in order to show that such an inquiry is desirable. In former times our ships were generally good in workmanship, though often obsolete in design. Our later ships, though admirable examples of naval architecture in their several types, are almost exclusively adapted for ocean warfare. No one will complain that we have too many first-class ships, but we have no in-shore Squadron worthy of the name. We are conspicuously deficient in ships adapted for attacks on forts and batteries. We have been warned of our shortcomings in this respect by Sir Thomas Symonds, and other eminent officers; but we have neglected their advice. All our recent ships have been of the largest dimensions; and, as an inevitable consequence, the additions to the Fleet have been lamentably few. In the five years ending the 31st of March, 1879, only seven iron-clads will have been added to the Navy, and of those five only will have been built in Her Majesty's Dockyards. The cost of our iron-clads has advanced in proportion to their tonnage. The *Inflexible* is estimated to cost £460,000. It seems a strange fatality that the design for our largest and costliest ship should have given rise to a controversy of unprecedented warmth. I shall not enter now upon a discussion, which will more properly be raised on the Motion of the noble Lord the Member for Chichester. It may be questioned whether the increase in fighting power is proportionate to the increase in the cost of the later ships. In comparing the *Dreadnought* with the *Devastation*, M. Dislere, the eminent French naval constructor, observes that, in order to secure a slight increase in armour and armament, the displacement has been enlarged from 9,190 to 10,900 tons, an augmentation of 1,710 tons, involving an addition of £80,000 to the cost, and an addition of 33 feet to the length. "How," he asks, "will such enormous masses be manœuvred in the confusion of a naval engagement? How will the ram, the most effective weapon, be used to the best advantage?" These are questions on which the battles of the future may teach some unexpected lessons. I might quote opinions to the same effect from the separate Report of Admirals Elliot and Ryder, as Members of the Committee on Designs for Ships of War, and from many other officers. There is reason to fear that our shipbuilding policy is conceived too much under the influence of a spirit of international rivalry. In a country in which the action of the Government is mainly guided by public opinion, professional judgment is too readily surrendered to popular ideas. Sensational ships are built to gratify the public; and the popular view of these subjects is derived from experimental firing at targets, or from trials over the measured mile, and not from any experience or conception of the practical conditions of naval warfare. The same tendency to the sensational, which is observable in the designs for ships, is exhibited in their armament. When it is remembered how small a percentage of shot can possibly take effect when the combatants are moving at high speed, it becomes a question how far we ought to go in the introduction of 80-ton or even 38-ton guns, as the principal—in some cases, the only—armament of our ships. The increase in calibre involves not only a reduction in the number of guns, but a reduction in the rate of firing, which may prove a serious disadvantage in a naval action. The Committee on Designs recommended the general adoption of a composite armament, of protected and unprotected guns. This valuable suggestion has not received sufficient attention. Speaking generally, the armament of the most recent ships is not proportionate to their tonnage; the offensive power has been unduly sacrificed to the defensive, the gun to the armour. In a speech at the United Service Institution, on the 30th March, 1870, Captain Dawson said—

> "In all the later iron-clads there has been a continual diminution in the offensive power of the armament. We have an instance in the *Devastation,* a ship of 9,000 tons, carrying only 140 tons of ordnance. That is a very limited offensive power for any first-class iron-clad. The 140 tons are divided into four untried pieces. If anything happens to any one of these four untried pieces one quarter of the armament will be lost."

Captain Dawson considered that the chances of hitting at a target were as one in 10, and that they would be much less in firing in a naval engagement. The *Inflexible,* of 11,000 tons, carries only 320 tons of ordnance. Would not such a ship be more fitted for naval warfare by the substitution of 200 tons of ordnance for an equal weight of armour. The *Nelson* and *Northampton,* of 7,460 tons, carry four 18-ton guns and eight 12-ton guns. M. Dislere speaks favourably of the designs of these ships, but considers that the guns should be of heavier calibre. An 18-ton gun is not powerful enough for an engagement with a first-class iron-clad. On the other hand, he considers the displacement of 7,440 tons is too large for ships intended only for the protection of commerce. The same observations are equally applicable to our largest unarmoured ships. The *Shah* has only two guns capable of penetrating the 4-inch armour of the *Huascar*. In a recent lecture at the Royal Engineers' Institute at Chatham, Captain Bridge has pointed out the necessity for a numerous supplemental flotilla, to enable a fleet of ocean-going iron-clads to reduce an important fortress. He reminds us that when the Federal Fleet attacked Fort Fisher, in the harbour of Wilmington, on the 13th, 14th, and 15th of January, 1864, over 50,000 shells were fired from the ships. If the Fleet which we have stationed in the Sea of Marmora had been required to engage the shore-batteries in the Dardanelles or the Bosphorus, the deficiency of the Squadron under Admiral Hornby, in regard to the number of the guns, would have made itself felt. The supply of ammunition to Her Majesty's ships is but 85 projectiles per gun on the broadside, and in no case more than 170 per gun. With a supply of ammunition so limited, it is obvious that very large reserves would be required. Our shipbuilding policy may be tested in the most practical way by examining the composition of the Fleet under Admiral Hornby, with reference to the service in which it has recently been employed. Such a comparison will, I venture to say, afford the most conclusive proof of the necessity for adding to our existing naval force the smaller classes of fighting vessels. While the splendid ships assembled under Admiral Hornby possess unquestionably great power for battle, they were mostly designed for ocean warfare rather than for inland service. A deep draught of not less than from 26 to 27 feet is a serious drawback when operating along the shore. The Royal Commission on our Coast Defences laid it down that the maximum draught of a coast defence vessel should not exceed 15 feet. How many iron-clads do we possess drawing less than 15 feet? The coast defence vessels, while less costly than the large ships, would have been better adapted to the practical exigencies of the naval service in the Mediterranean, the Red Sea, the Straits of Singapore, and in other confined waters where we have great interests at stake. It was for naval operations on the coast that the Americans invented the monitor. For £55,000 Mr. Erricson undertook, in the space of 100 days, to construct an unarmoured shot-proof coast defence vessel, displacing 1,200 tons, drawing 10 feet of water, and capable of going nine knots an hour. He kept his word. If such an achievement was possible in the United States of 1864, it encourages us to believe that the mechanical resources of the United Kingdom in 1878 would be capable of promptly creating a most powerful flotilla. I trust, however, that we shall not be betrayed, in reliance on our latest resources, into a policy of procrastination. Vessels, even small vessels, hurriedly constructed, must be imperfect in many ways; and hasty preparations for war, at a time when our foreign relations are becoming constrained and difficult, are necessarily irritating. No Navy has had so much experience of coast warfare, since the introduction of armour, as the American. Their officers are unanimous in their approval of the monitor for engaging batteries. The type combines in the highest attainable degree the two qualities which Vice-Admiral Touchard considers most essential in a coast defence vessel—namely, a maximum of invulnerability and a maximum of armament. Of the 30 monitors which the United States had afloat during the war, only one was destroyed by the fire of the enemy. The monitor, or armoured gun-boat, is being rapidly introduced in European Navies. The Germans have constructed two monitors, and five armoured gun-boats of 900 tons displacement, protected by 4-inch armour and carrying one large gun. Of the 27 iron-clads in the Russian Navy 22 are designed for coast defence; seven draw from 19 to 17 feet, one 14 feet, and 13 draw 11 feet and under. The latter are exact reproductions of the American types. The French have 35 iron-clads afloat, and 16 in construction. Of their 51 iron-clads, 19 are coast defenders. Six of the latter, which are now in construction, are of great power. Another deficiency may be pointed out in our Mediterranean Fleet; our large ships are unsupported by a supplemental force of steam rams and torpedo vessels. It is not necessary to insist on the offensive power of the torpedo. The House was sufficiently alarmed by the very able and stirring speech of the noble and gallant Member for Waterford (Lord Charles Beresford), whose devotion to his profession we must all admire. It must be obvious to those least familiar with naval matters that it would be extremely difficult for an iron-clad, armed with a limited number of heavy guns, to repel the simultaneous attack of numerous torpedo boats steaming at 20 knots, and manned by determined men. Several boats might be destroyed, but others would succeed, under cover of the smoke, in striking a fatal blow. In the Session of 1876, at the Institute of Naval Architects, Mr. Barnaby acknowledged the vulnerability of our largest and most powerful iron-clads, if attacked with the ram and torpedo; and he pointed out, with the concurrence of Sir Spencer Robinson, that the strongest defence against such an attack, was by a counter-attack with similar vessels attached to the large ships. Admiral Porter, in his Annual Report to the Secretary of the United States Navy, has returned again and again to this subject. In the year 1874 he asked for 50 iron torpedo boats, of a moderate speed, and of not less than 100 tons each. He has since recommended that, besides several small torpedo boats built for coast defence, six, of little more than 1,000 tons, should be constructed of iron for foreign service. The Americans have lately built a torpedo vessel, the *Alarm*, of 100 feet in length, 28 feet in beam, and 10 feet draught, which carries one heavy gun, eight Gatlings, and a complete torpedo gear. The programme for the German Navy provides for 28 torpedo vessels, which are to be completed in the year 1882. Admiral Porter considers that those 28 torpedo vessels will make the 11 iron-clads which Germany already possesses, a match for an equal number of iron-clads of twice the size, without torpedo boats. Torpedo boats might be carried for the Fleet in special vessels. Boats of this description have become a necessary part of the equipment of a fighting ship. In the German Navy, the *Sachsen* class of armoured corvettes, of which there are to be five, with a displacement of 7,300 tons, carry torpedo boats of large size. The *Duilio* is fitted with special appliances for launching torpedo boats in a seaway. The Estimates which have been laid before us, provide for the construction of 28 torpedo boats in 1878-9. The number is greatly inferior to the flotilla, which, according to common rumour, was lately being prepared for the Russian Navy. Armoured vessels, possessing in a high degree the manœuvring qualities which are essential in the ram, are another indispensable adjunct to a Fleet of larger vessels. It was stated by the late First Lord of the Admiralty (Mr. Hunt), in moving the Estimates of last year, that it was in contemplation to build a ram on the plans of Sir George Sartorious. I regret that no progress has been made in carrying out that intention. The hon. Member for Pembroke (Mr. E. J. Reed) has publicly stated that, in his opinion, before armour is superseded as a defence against guns, guns will be superseded as a means of attack; and the ship itself, viewed as a steam projectile, will be deemed the most formidable weapon. In the essay for which the gold medal of the United Service Institution was awarded, Captain Noel proposed that a group of three vessels should constitute the tactical unit of the Fleet. The group should consist of one first-class iron-clad and two armoured rams of about 2,500 tons each. Our costliest and most heavily armoured ships are too large to be manœuvred as rams, and too costly to be risked in such an uncertain and hazardous mode of warfare. Why has nothing been done in the construction of auxiliary vessels, which are so essentially required to complete our Fleet? These small rams and torpedo boats would have cost a mere fraction of the sums expended on the large ships, around which they ought at this moment to have been grouped in the narrow waters of the Sea of Marmora. Our constructors seem to lack the courage of their opinions. Accepting the necessity of limitation in size, they must build special vessels for each arm of the Navy. It has been said by Captain Colomb that we have no ship in our Navy in which the principle of building special vessels for special services has been satisfactorily embodied; we have no ship in which the gun-power has been properly sacrificed to assist the ram, or the ram-power judiciously curtailed to admit of increased ordnance. The general policy which should guide our naval construction was well described by Sir Spencer Robinson when he said—

> "A Fleet must be composed of ships of various classes. No single ship will be adapted for naval warfare with the means of destruction which now exist. Every ship must act in combination with other ships; she must be the unit around which other ships congregate; and when we have got the ship and her satellites in attendance upon her of the right size, sort, and stamp, then we have got the one unit of force capable of doing its duty in what may be called single action, and the concentration of those ships and their attendant satellites will constitute a fleet."

The same views were expressed by Captain Vansittart in his Report to the Admiral in command of the Channel Fleet in 1868. He said—

> "I recommend the construction of a certain number of turret ships, capable of mounting far heavier guns than any known in the late squadron, besides some few armoured rams, simply as rams; not with the idea of substituting turrets for broadsides, but with the view of strengthening England's Fleets. In short, I would adopt the old saying of not putting all our eggs into one basket."

In the ship-building programme of the future, I hope to see the principle of special classification more distincly recognized. This was the policy so strongly recommended by the Committee on Designs. As a powerful armament, thick armour, speed, and light draught, cannot be combined in one ship, although all are needed for the defence of the country, there is no alternative but to give the preponderance to each in its turn amongst the different classes of ships, which shall mutually supplement each other. The first-class battle-ships of the future will doubtless be constructed after the type of the *Devastation.* The large ships, again, must be supported by armoured rams, torpedo vessels, and torpedo boats. For ocean warfare we require belted cruisers, of which the *Nelson* and the *Shannon* are our latest examples; for the protection of commerce we need small, lightly armoured vessels; for coast warfare, rams, monitors, and torpedo boats. The proportions in which these several types are required is a question which the Committee recommended by my hon. Friend would examine with great advantage. Passing from the armoured vessels, I must express my regret that such large sums have been expended on unarmoured vessels, in no essential respect more powerful than the fine ocean steamers which can be hired in an emergency for naval service. Large unarmoured ships, such as the *Shah, Raleigh, Iris,* and *Mercury,* in which every other quality has been sacrificed for the sake of speed, and which, from their limited coal-carrying capacity, are conspicuously inferior to the American liners in their power of maintaining that speed, give the least satisfactory result, in proportion to their cost, which has ever been obtained in any vessel built for war. In 1874, in one of his many able Papers, read before the Institution of Naval Architects, Mr. Barnaby stated the objections to large unarmoured ships in the strongest terms. He said—

> "The matter in which the naval architect is sometimes tempted to sacrifice the just balance of good qualities — reckoning moderate cost as one of them — is in aiming at too high a speed. He may be satisfied that a certain speed is a good working rate; but if a foreign power has a ship possessing, or reputed to possess, ever so small an advance in point of speed, there are always people ready to insist on the enormous superiority of even a slight excess in speed."

If the policy of building such vessels had been deliberately examined by such a Committee as my hon. Friend proposes, I cannot believe that it would have been approved. Here I may congratulate the Admiralty on the disappearance of the *Raleigh* type from the programme of the present year, and on the concentration of expenditure on fighting vessels not to be hired from the mercantile marine. A comparison of the present shipbuilding programme with that of former years, shows the following result:—

	ARMOURED.	UNARMOURED.	TOTAL.
1870-1	7,490 tons	7,742 tons	15,232 tons
1878-9	9,831 „	3,737 „	13,568 „

Every ship which is specially constructed for naval warfare should be protected by a certain amount of armour. The effect of a single chance shot on an unprotected vessel was sufficiently shown in the action between the *Alabama* and the *Kearsage,* and, in the Franco-Prussian war, in the action between the *Meteor* and the *Bouvet.* The Americans protected the machinery of their vessels by using the cable as a temporary chain armour. By a slight reduction in the length and a moderate increase in the beam, sufficient floating-power would be gained to enable our larger unarmoured cruisers to carry a light belt of armour at the water-line, which would materially strengthen the bow for ramming, and protect the machinery and the boilers. The hon. Member for Pembroke has shown how this can be done practically in the three belted cruisers which he has recently built for the Japanese Government. We have not enough ships in our Navy corresponding to the useful class which have been recently built in our private yards for Japan. These observations on the designs of some of our most recent ships will, I venture to think, be sufficient to justify the proposed inquiry. Let us now examine the system adopted for carrying those designs into execution. I may here be allowed to remark that, so far as I have any means of judging, the present Controller and Chief Constructor, and the officers under them, deserve well of their country. Their mistakes have been few, and they have achieved many remarkable successes. But the present organization does not give to the Navy the full benefit of all the professional and naval experience which this country possesses. The administration is conceived on too narrow and exclusive a basis. It is too much concentrated in one or two individuals. The Constructive Department of the Admiralty is overtasked, and ought to be strengthened. The administrative, consultative, and scientific functions should not be combined in one hand; the same individuals ought not to propose designs and afterwards pass them in review. In France, a large Council of Advice has been employed, and the shipbuilding policy has been settled in accordance with a programme, revised from time to time, but requiring a long period of years for its execution. In this country I should deprecate the adoption of a similar course; but if a Council has been found necessary where several ships have been built from each approved design, how much more must it be required where the same design is never repeated? It was suggested by the Royal Commission on Scientific Instruction that a Council of Advice should be appointed by the Government. The evidence collected with reference to the Controller's Department of the Admiralty clearly showed that the present staff were too much absorbed in their administrative duties to be able to give a due proportion of time and thought to original investigation. The recommendations of the Royal Commission on Scientific Instruction were based on the evidence of such men as Mr. Froude, Sir William Thompson, Mr. Anderson, the Superintendent of Machinery at Woolwich, and the hon. Member for Pembroke. Mr. Froude told the Committee that if such a Council had existed, enormous sums would have been saved, which had been expended in the construction of ships on a scale of 12 inches to the foot. The incompleteness of the preliminary investigations has led not only to defective designs, but to wasteful expenditure and long delay. Sir Spencer Robinson repeatedly remonstrated against the alterations of the *Devastation* during the period of construction, which led to the inevitable consequence of delaying by one year the completion of the ship. The draught of water was increased to such an extent that the upper edge of the plating is at the bow actually below the water-line. The same delay occurred in the case of the *Dreadnought*, which was commenced in February 1870, launched on the 8th of March, 1875, and is not yet completed. The estimates for this ship have been steadily increasing. The estimated cost was £269,000 in 1870; it has since advanced by rapid strides to £451,000. The same thing happened in Russia, where the *Peter the Great* was commenced in 1869 and only completed in 1877. The most recent cases seem quite as grave as those quoted by Lord Clarence Paget before the Dockyard Commission in 1860, and they demand the same remedy which he proposed. He said—

> "The *Immortalité* was lengthened forwards, amidships, and abaft, and, having been so lengthened, her bow was again pulled down and lengthened. If such a thing were to take place in a private yard, it would be considered a very unbusiness-like way of conducting operations. I am of opinion that if a fair consideration had been given to the subject of her lines—if it had been discussed, for instance, in a committee of scientific men—the necessity of lengthening her during building would have been obviated."

The waste of public money through repeated modifications of a design during construction was denounced, with his usual force, by Mr. Cobden, in his well-known pamphlet on the *Three Panics.* These remonstrances are equally needed at the present time. Sir William Thompson believed that a Scientific Council would have prevented the fatal error committed in the case of the *Captain.* Mr. Anderson, who has been responsible for the expenditure of very nearly £3,000,000 of the public money, was persuaded that with a systematic investigation great improvements could be introduced. In the Government service, as he most truly said, everybody who gets any work to do worth mentioning is overpowered with work, and has too little time for deliberation and reflection. The Naval Lords cannot possibly have the leisure to consider thoroughly the numerous questions of naval architecture, tactics, and organization, which constantly present themselves. They should be relieved of much of the detail which now occupies their time, by the appointment of a captain in the Navy to act as their secretary, or *chef de Bureau.* Such a Council as was recommended by the Royal Commission should, for Admiralty purposes, be composed of officers who have recently served afloat, especially in fleets composed of iron-clads, and should include officers who have recently served at the Admiralty. The advice of an ex-Controller could never be without value to his successor. The members of the Council should be appointed for limited periods, and should be regarded solely as advisers to the Minister, who would retain, as now, his sole responsibility to Parliament. Nothing could more conclusively prove that the Constructor's Department is not strong enough for the work which it has to do, than the slow progress in the completion of designs for new ships which is indicated in the Estimates we are about to consider. Three years have elapsed since a new iron-clad was laid down in Her Majesty's Dockyards; and yet that interval, regrettably long as it has been, has not been sufficient to enable the Constructor's Department to determine the types of any one of the iron-clads which it is proposed to commence in the ensuing financial year. The only two iron-clads now in course of construction in the Dockyards were included in the programme of 1875-6. I have already alluded to the Council of Advice, which is permanently in Session at the French Admiralty in Paris, and in which all ships in the service, and all branches of the Naval Profession, are represented. In the French Service the Constructor's Staff is materially strengthened by appointing officers to the Dockyards, possessed of the highest scientific attainments, and capable of preparing independent designs for ships of war. It is the practice of the Council of Construction, in Paris, to fix on the type of ship required for a particular service, and having stated the various qualifications which must be embodied in the new designs, competition is then invited from the different dockyards. There can be no reason why designs should not occasionally be obtained from independent members of the profession of naval architecture. This was done in 1867, by means of a circular letter, issued by Lord Henry Lennox. In the recent purchases by the Admiralty, we have remarkable illustrations of the ability of the private constructors of this country. The *Superb* is a much-improved *Hercules;* and the *Belleisle*, with 600 tons less displacement, is far superior to the *Hotspur* and *Rupert.* It would be unjust to the Controller's Department to forget that they have been equally progressive in their new designs; but I again, and for the last time, complain that too little attention has been given of late years to the smaller types. The truth is that the Naval Estimates at the present time are not sufficient. It is the policy of this country to keep up a larger *personnel* for the Navy than that maintained by any other of the Continental Powers. Hence it is that while in Germany 66, in Russia 62, and in Austria 48 per cent of the naval expenditure is devoted to construction, the corresponding figure in England is only 36 per cent. Further, we maintain an extensive unarmoured Fleet for the protection of trade. We have 313 unarmoured to 54 armoured ships; France has only 109 to 48; Germany 58 to 20; and Italy 49 unarmoured to 17 armoured ships. The maintenance of our large unarmoured Fleet for the protection of a trade—the profits, but not the burdens, of which are shared with other countries—goes far to explain the necessity for a temporary increase in our appropriations for ship-building. In considering our shipbuilding policy, the Committee proposed by my hon. Friend would necessarily be called upon to inquire as to the sufficiency of the present Naval Estimates. Deducting the non-effective Vote, the sum available is £8,900,000, of which £3,500,000 sterling are expended in the Dockyards. The corresponding figures for the French Navy are £2,800,000. The German Estimates include £520,000 for the maintenance of the Fleet, and £1,720,000 for building the ships ordered in the programme of 1872. If, therefore, we compare the naval expenditure of the three countries with the 6,000,000 of tonnage belonging to the United Kingdom, the 8,000,000 tons belonging to the British Empire, and the 100,000 tons sailing under the French and German flags respectively, we shall find that the expenditure of the French Naval Department far exceeds our own. The truth is that the Naval Estimates at the present time are not sufficient. If France had not been temporarily crippled by the German War, we should have been in a very decided state of inferiority to the French Navy in armoured vessels; and this, notwithstanding the vastly greater interests we have at stake. We have as yet done nothing for the defence of our Colonial possessions by the creation of those centres of naval power to which the Committee on Designs directed attention as the most effective means of affording naval protection to our Colonial trade. The resources of the Dockyards having been wisely devoted during the past two years to putting the Fleet in repair, ship-building has in consequence made but slow progress. The better plan would be to consider the whole question of the defences of our foreign trade and Colonial harbours, and to vote a lump sum for carrying out their recommendations. In point of fact, we ought to make the same provision for bringing up our arrears of shipbuilding which was granted on a former occasion for the defence of our Dockyards at home. The programmes of Naval Construction adopted in France in 1872, and in Germany in 1873, have been carried out in each case by means of a special Credit voted annually in addition to the ordinary provisions for the maintenance of the Navy. With reference to the proposed Committee, I do not know what course the Government may take. We do not intend to imply a want of confidence in the First Lord of the Admiralty, whose advancement to his high office was received with such hearty approval on all sides. It cannot, however, be disputed that his onerous administrative duties leave to him and his Naval Advisers little time to mature designs for new ships. Royal Commissions and Departmental and Parliamentary Committees have from time to time been appointed on naval business. Their labours have not been unfruitful. There has been no unworthy jealousy of external advice. In foreign countries there are abundant precedents of a similar character. In France many Committees of Inquiry into the Navy have from time to time been appointed. The Annual Commission on the Naval Estimates bears a close analogy to the Committee now proposed. The French Commission of the present year included MM. Gambetta, Waddington, and other well-known statesmen; and the Report by M. Bethmont, embracing the whole subject of Naval Administration, and throwing a flood of light on many of the most difficult problems of the time, is just such a Report as I should hope might be presented by a Committee of this House. I conclude, as I began, by expressing my intimate conviction that, while our administration still leaves something to be desired, the Navy is in a sound and wholesome state, and was never relatively so powerful as it is at the present time.

LORD CHARLES BERESFORD wished to make a few observations on the subject of the stability of the *Inflexible*, as it presented itself to the mind of a seaman and a seaman gunner. The question of the stability of the *Inflexible* was first brought forward by the hon. Member for Pembroke and *The Times* in such a manner as to cause great apprehension both in the country and in the Service; because naval officers thought they might be sent to sea in the same class of vessel. Accordingly, a great number of naval officers took the matter up, and examined it very minutely. The Admiralty, very properly, stopped the building of the ship until the Committee which was appointed had inquired into the facts of the case. The Report of that Committee had been published some time; and he thought most people who had studied the question would be of opinion that the views of the hon. Member for Pembroke had been more or less capsized by the Report. [Mr. GOSCHEN: Hear, hear!] The Committee had said that the whole question was one of opinion, and in that statement he entirely concurred. The hon. Member's position assumed three facts—first, that it was possible for a shot or a shell to strike the ship; then that the shot or shell should knock the 23 forward and the 17 aft compartments into one; and, lastly, that that the cork should be entirely blown out. As a seaman gunner, he denied the possibility of either of these events happening. The ends of the *Inflexible* were only one foot above the water-line at her fighting draught; and from the position the shot assumed in travelling through the air, it was almost impossible that it could strike an object of a foot in height on a plane; because it must either touch the water with its rear end, or it must glance over the top of the vessel. But, assuming that it did strike the ends of the ship, it would neither knock all the compartments into one, nor blow out the cork. There was no such thing as a plunging fire; it was a theory. In his opinion, the *Inflexible* was one of the most indestructible fighting machines ever placed in the water, and if she were anchored at Spithead, our most powerful iron-clads might steam round her, using their best guns, until the whole of their ammunition was expended, without being able to reduce her to the condition feared by hon. Members; and how much more difficult would it be in action. The difference between theory and practice in seaman gunnery had been well exemplified in the recent action between the *Shah* and the *Huascar*, either of which theoretically ought to have been able to sink the other. Every shot that struck the *Huascar* would have gone through the target at Shoeburyness, yet she had not been penetrated at all. If one of the *Huascar's* shot had hit the *Shah*, the latter would have gone to the bottom; but not one had hit her. Of course, if the *Inflexible* were to be rammed, she would be in as critical a position as any other ship would be in similar circumstances, but in no worse a one. It was a question for naval men. Naval men all thought the hon. Member for Pembroke deserved the greatest credit for bringing the matter forward; but they did not think the vessel unsafe. He had to congratulate the hon. Member for Hastings on having hit the right nail on the head in regard to one or two points. It was true that these heavy-armoured ships had too little fire. They could only fire once about every five minutes, and this would produce a bad effect on the men, who were in the dark, or, at least, in places lit up by candles. All ships of this kind ought, in his judgment, to be provided with three or four light guns or Gatlings, which would keep up a continuous and rapid fire. Again, he thought all first-class ships ought to be fitted with four torpedo boats, and with not fewer than four. The other day, at Chatham, he saw the *Belleisle*. She was one of the finest ships he had ever seen. She had speed, helm, very light draught, four heavy guns; she was short, being only 242 feet long, and she could go 12 knots an hour, which was a great point with us seamen. He hoped the First Lord would not think this was criticism of the Admiralty. He only made these remarks in order to strengthen the right hon. Gentleman's hands.

Mr. SAMUDA, referring to the very large question brought forward by the hon. Gentleman the Member for Lincoln (Mr. Seely) said, there were two questions before the House, each of which was of great interest both to the country and to the House; but he had not heard how they were, in future, to correct the faults that had been pointed out. He did not think that the French plan was likely to secure the country good ships; on the contrary, the result would be quite the reverse. Considerable advantage might be gained, however, by modifying the course we now pursued; but in a totally different direction from that which the hon. Gentleman had suggested. He adhered to the opinion he had often expressed, that, however excellent the Constructor's Department of the Admiralty might be, yet the country did not get that full amount of benefit it was capable of deriving by placing itself in other hands. Therefore, it ought not to trust itself to that department alone; but should also obtain the services of men who had passed their whole lives, and had exercised their minds, in carrying on works of the description that had to be carried out in the dockyards; whereas, the fact was those services were entirely disregarded and ignored. Turning to the next subject, he would regard it from a point of view altogether different from that of the noble Lord the Member for Chichester (Lord Henry Lennox). The noble Lord who had just spoken held the opinion that the *Inflexible* was an improvement on the vessels which had preceded it. Now, he (Mr. Samuda) did not hesitate to say he would much rather go to sea and have to undergo an engagement in the vessel commanded by the noble and gallant Lord the Member for Waterford (Lord Charles Beresford) than he would in the *Inflexible*. Indeed, he thought the noble and gallant Lord himself would have the same preference for his own ship. The *Inflexible* had arrived at a state of progress when an attempt ought to be made to render her valuable to the country, instead of seeking to destroy her altogether. We ought to ascertain how her errors might be palliated so as to make her useful, and endeavour to prevent them being repeated in future vessels. Up to the time when the *Inflexible* was built, the accepted experience which everybody acted upon was that it was absolutely indispensable that we should protect the entire water-line of a ship with armour, so as to prevent the possibility of explosive shells passing through unprotected parts. The *Inflexible*, however, was started on the principle that, as the power of guns had increased so much more rapidly than the power of armour, it was necessary to make the central citadel of this ship of a certain thickness of armour, without regard to the state of the ends of the vessel. The central battery was held to require 24 inches of armour, but this was put in the ship by means of two 12-inch slabs. He, however, contended it was a mistake to multiply "slabs" of armour instead of concentrating them into one; for experience had shown that the resistance of armour was as the square of the thickness of the armour. Consequently, two 12-inch separate pieces of armour would not offer much greater resistance than one 16-inch solid block. That being so, he contended that had the central battery of the *Inflexible* been made of solid armour instead of layers of armour, the ends of the vessel which were now unprotected might have carried some 10 inches of armour, and thus been proof against assault. If this had been done, and some other changes had been effected, which would only have increased the weight of armour now carried by 90 tons, the displacement would not have been disturbed to any appreciable extent, while all the vital parts of the vessel would have been protected from shell fire. That was a point they had long been seeking to attain. He believed it was impossible to send explosive shell through thick armour, though to send it through thin plate of five-eighths of an inch was not at all difficult. Although the noble Lord thought rightly that there was great difficulty in hitting particular cells, the vessel would be in no way protected from shells passing above the water-line to the main deck, where the mischief would be exactly the same as if they had landed in the interior of the ship below. That danger would be prevented by the plan he had pointed out, and it ought, therefore, to be guarded against, especially as it could be done with so little trouble. He objected to the Admiralty leaving a better system to adopt a worse one—a system by which the ship might be destroyed without the armour being penetrated. He did not desire that all the changes he had suggested should be made in the *Inflexible;* because, with the small addition on the main deck of a three-inch armour instead of the half-inch deck, we might have a ship which would fulfil many good conditions, and the country could afford any loss that might accrue from the vessel not being the first-rate ship of battle it was intended she should be. Then in ramming, actual destruction must follow, unless the bows were protected by armour; while, if that were done, the vessel would be perfectly safe. Now, these changes might easily be made; and, for his own part, he would not feel jealous if improvements from without were suggested to him, and he did not think that the Admiralty ought to refuse to do what would make the *Inflexible* a useful ship, or decline to accept the smallest change in deference to suggestions from outside. He had already mentioned the radical changes which ought to be made in the other ships of similar type of which he had spoken; and it would, he considered, be a most serious mistake if the Government allowed the *Inflexible* to be the starting point for a new class of ships, for it would be a step of retrogression, and would show that we were not benefiting by the experience which we had dearly bought. He had seen nothing to justify the change of view which had lately come over some persons with regard to armour-plating, as if subdivision in the size of the plate did not affect its strength. He recollected that the Americans put six 1-inch plates on their vessels instead of one 6-inch plate, and the consequence was that a 68-pounder, the largest shot at the time, went through them like so many pieces of paper. But when we tried the experiment with a 6-inch solid plate, the only effect produced was an indentation 2½ inches deep. Since the resistance of the armour-plate was as the square of the depth, a plate of 2 inches would have a resisting power of 4; a plate of 4 inches, a resisting power of 16; and a plate of 16 inches, a resisting power of 256. The course with regard to the *Ajax* and *Agamemnon* was very simple; and he hoped that, so far as these vessels were concerned, the Board of Admiralty would listen to the suggestions which had been made to them, and not perpetuate in those vessels the defects of the *Inflexible.* Of one of these vessels, only 1,100 tons had been built; of the other, only 700. There was, therefore, no difficulty in carrying out in these vessels the changes he had indicated, or such other changes of the like kind as might be suggested by others. Even now the *Inflexible* might have its prow covered with armour, and would thus be rendered infinitely stronger and more efficient in its powers of defence.

MR. A. F. EGERTON objected to the proposal of the hon. Member for Lincoln (Mr. Seely), as he could not help thinking, and those who knew the public Service would agree with him, that it had a tendency, to a considerable extent, to disorganize a Department of that Service, when it knew that it was about to be subjected to a searching examination by a Committee of that House. The hon. Member wished this Committee to be appointed with the view, he (Mr. Egerton) supposed, of adopting his own opinion—that there should be placed by the side of the Constructor's Department another Constructor's Department, which was to sit upon all designs of ships, and ask for designs from sources outside the Admiralty.

MR. SEELY explained that he had put forward no such view. What he urged was, that he thought the area of selection was too exclusive, and that designs should be sought for beyond, as well as within, the office at Whitehall, and that there ought to be some other body to come to a decision upon them.

MR. A. F. EGERTON was sorry if he had mistaken the hon. Gentleman; but, at all events, what he proposed was, that the government of the Construction Department should be of a dual form, and that they should seek designs from outside. Well, he had a strong objection to that view, and he did not think it would work. They might strengthen the Constructor's Department, if they thought it too weak; but if the hon. Member's Motion was carried, the inevitable result would be that the First Lord would have to sit in judgment on the disputes that would constantly arise between the two departments; and hence the responsibility would be very much diminished. The hon. Member had commenced his criticisms by referring to the past history of shipbuilding under successive Boards of Admiralty, and he specially referred to the case of armoured ships. He (Mr. Egerton) did not deny, as the hon. Member had said, that the department had been somewhat slow to adopt certain inventions and improvements; but in the event they had certainly produced good results. When, in 1854, the Admiralty sent a Fleet to sea during the Crimean War, that Fleet, both in the Mediterranean and the Baltic, was stronger than that of France and Russia; in fact, Russia could not dare to send out her Fleet to oppose it, and it was one which was worthy of the British nation. It was said the *Warrior* was somewhat late in the field; but the Admiralty, in his opinion, were perfectly justifiable in not at once coming to a decision on the subject, seeing that the armouring of ships was then in its infancy. With regard to coating wooden ships with armour, it was found impossible to build a sufficient number of iron ships to make a good show of a fleet in the face of an enemy, and therefore the Admiralty took the best course they could under the circumstances—they cut down old line-of-battle ships and coated them with iron. They were all good vessels for a long time, and one of them was even now afloat, and a good ship yet, and very useful—the *Lord Warden;* and when the hon. Member compared the operations of the English with those of the French Admiralty, he must remind him that the latter adopted precisely the same course in this respect, and their wooden ships must now be very much in the same state as the *Ocean* and *Caledonia.* With regard to any supposed blame attaching to the Admiralty at present, it should be remembered that great difficulty had been felt in this country in getting armour plates, because there were only two makers of them—the Messrs. Cammell, and Messrs. John Brown & Co.—and on those two firms the Admiralty were entirely dependent. It was therefore to be regretted that other firms had not entered into the manufacture of them. The hon. Member took a very gloomy view of the state of our armour-clad Fleet, and said that out of those which were built before 1876, we had only 12 fighting ships. He (Mr. Egerton) was not going into a long comparison of our ships. When people compared the merits of different ships of our Fleet, they appeared to form an ideal standard, and compared them with the best ships of our own Fleet; but they ought rather to compare them with the ships of foreign Powers. If they did that, they would find that this country came out of the comparison very favourably, and the ships in question would then appear very useful portions of the Navy of Great Britain. As regarded the ships built since 1876, the hon. Member took a more favourable view. He (Mr. Egerton) would not discuss the merits of the *Alexandra*, the *Nelson*, and the *Northampton;* but he must refer to what had been said with regard to the *Inflexible.* The noble Lord (Lord Henry Lennox), who spoke so ably, had made a powerful attack upon that vessel, and it fell to his (Mr. Egerton's) lot last year to enter into some defence of her. He might have spoken rather more warmly than he should have done; but he thought the Members of the Board of Admiralty might well feel, when that ship, which had been before the world for many years, was at last arriving at completion, that suddenly a very severe and violent attack was made on what they were always led to believe, when finished, would be the most powerful ship in the world. The attack was conducted with great ability, and the House of Commons was much interested in it. The Government had, therefore, been obliged, in a manner, to have a Committee appointed to sit upon the designs from which she had been built. Something had been said of the Order of Reference to that Committee. The Order of Reference was drawn up by the late lamented First Lord, and he (Mr. Egerton) himself had something to do with it. That Order of Reference had been much criticized by the noble Lord and the hon. Member for Pembroke (Mr. E. J. Reed); but he (Mr. Egerton) could not admit the justice of the attack. He did not quite understand what it was in the terms of Reference that hon. Members did not like, nor what they would have wished them to have been. The facts were, that the *Inflexible* had been attacked on certain points, and on those alone, and the Reference was framed so as to embrace those points, in order that the Committee might have a distinct duty to perform; but it was not thought right to confine them to this duty, and therefore there was inserted the 3rd clause, which gave them almost unlimited power to discuss the nature and capacity of the ship as a man-of-war. The Reference was framed with the most perfect good faith, and with the most earnest desire that the Committee should have the utmost latitude to go into every point which it was desirable to investigate. The Committee followed their instructions with the greatest possible care, and, as there were two sides to a shield, so perhaps, the Admiralty saw one side of this Report, and their opponents the other. He regarded the Report as satisfactory so far as it confirmed the view of the Admiralty. Indeed, the summary of the Report was supposed to be so satisfactory to the Admiralty that there were some who imagined it had been drawn up by the Admiralty; but, like the body of the Report, it was drawn up by the Committee; and, perhaps, the reason why it appeared to be so favourable to the Admiralty was, that it omitted the details that were to be found in the Report. The questions that were put to the Committee were answered, and answered in a manner satisfactory to the Admiralty; and the view of the Committee with regard to shell-fire had been confirmed by the experience of the noble and gallant Lord sitting behind him. His own conclusion was, that the contingency of the destruction of the unarmoured ends and the water-logging of the ship was, though not absolutely impossible, next to impossible. With that conclusion they were satisfied, for it bore out the contention of the Admiralty, which was not that the *Inflexible* was an unsinkable ship, but that she was the most powerful vessel afloat. In that view he remained unshaken. He did not say that the vessel could not be sunk or destroyed by torpedoes or heavy artillery; but she would require more means of destruction to make her sink than would any other vessel in the world at this time. As to the stability of the ship, the claim of Mr. Barnaby was confirmed, for the language of the Report, freely translated, meant that in the worst circumstances to which she could be reduced, there would still be a slight residuum of stability; but that was not all. They said, also, that that stability was very valuable, because, under certain circumstances, the *Inflexible* would be more likely to float than any other ship that could be reduced to anything like the same circumstances, and that with water flowing freely through both her ends, she would be likely to keep more upright than any other ship. That was how he read the Report, and that, at least, was in favour of the ship. Supposing, therefore, the ship was reduced to the worst state contemplated by those he was obliged to speak of respectfully as her opponents, she would still have some chance of being succoured by consorts, or taken to some port before she would be likely to sink. Therefore, the Report was favourable with regard to the stability of the ship. The hon. Member opposite (Mr. Samuda) had asked whether the right hon. Gentleman the First Lord of the Admiralty would consider the proposals made by the Committee for the further improvement of the *Inflexible*. The First Lord would, no doubt, take the greatest care that all the proposals made both by the Committee and by hon. Members that evening should receive the careful consideration of the Council of Construction and his Colleagues at the Admiralty. Nothing of the kind had been at present passed by. He hoped the result of the discussion would be that the House would be of opinion that we had a ship which, if not unsinkable, was the most powerful ship yet added to any Navy in the world. He could hardly compare her with other ships; for while scarcely any amount of artillery would sink her, three or four shots from her 80-ton gun might sink the *Alexandra*, the *Sultan*, or the *Monarch*. With regard to the management of the Dockyards, he (Mr. Egerton) did not agree that there ought to be a change from the present system of entrusting the management to naval superintendents; for he believed that naval officers who knew their business made as good and efficient managers as civilians were likely to be. A contrast had been made as to the cost of English and foreign Navies. The English, it was said, cost £11,000,000 a-year, and the French but £8,000,000. The comparison was hardly fair, considering the vast difference in the work to be performed, and the Colonies we had to protect. The iron-clads in the Mediterranean and the Channel constituted the chief expenditure of France, which, having few colonies, required only 118 unarmoured vessels, while we had 300. That accounted for the great difference between the expenditure of the two countries. He had made the best defence of the *Inflexible* that he could in present circumstances, and he hoped the House would give some weight to what he had said.

Mr. E. J. REED said, he hoped that in the few remarks he had to make he should do nothing to disturb the moderation that had prevailed in the discussion on this occasion; but he must say that in the short speech which had just been delivered justice had scarcely been done to the *Inflexible*, as it was now before the House. There were several points connected with it which really deserved the attention of Parliament, and which seriously raised the question whether criticism in that House of the proceedings of the Admiralty was to have any value or importance. There were some respects in which the House had not been fairly dealt with; and as regarded one of them, the hon. Gentleman who had just sat down (Mr. Egerton) spoke of a sudden attack made upon the *Inflexible* last year, when she had made very considerable progress, and he spoke with an apparent desire to reflect on those who drew attention to the ship. He (Mr. Reed) had a very simple answer to give to that statement. His answer was that he was assured over and over again within the Admiralty, by the Constructors, that she had abundant stability in the citadel to keep her afloat, no matter what injury might occur to her ends, and he believed what they told him, until he had an opportunity of making inquiry and ascertaining the facts. He hoped the First Lord of the Admiralty, for the sake of Parliamentary candour and honour, would pay attention to what he was about to bring before the House. It was a statement of great seriousness, and it contained a fact which he hoped no one would rise in his place to defend. Would the House believe that up to this moment they had never had a description of the state of the *Inflexible's* stability as it was on the date when *The Times* article first appeared last year, and when the debate arose in that House upon it? What had happened was this—The debate arose on the 18th of the month, and in the Parliamentary Papers which were produced subsequently, a Memorandum stood away at the bottom of a page in small type—a foot-note—giving the effect of the calculations then made in connection with the ship, and by virtue of which some little element of stability was found to remain in the citadel when the unarmoured ends were destroyed, and that infinitesimal element was obtained by alterations both in the arrangements and calculations in the ship made by the Admiralty between the time the question was brought before the House, and the time the Memorandum was written. He would now ask the First Lord of the Admiralty, whether he would tell them what the stability of the *Inflexible* was when the debate arose in that House? Why had they not been favoured with this information before now, as they ought to have been? Why was it that they had the question of the water-ballast always dragged in? There was a very good, or, rather, a very bad, reason, why the information had been kept back, and that reason was this—that at the time when the debate arose—when the statement in *The Times* was made—the ship was entirely without stability. It had none. He asked the First Lord of the Admiralty whether he would do something to clear up the question put to him by the noble Lord opposite (Lord Henry Lennox). He hoped the House would allow him to draw its attention to the actual position in which they stood with regard to the matter, as it was important they should understand it. What was the state of the case? The question had been what the *Inflexible* was to be, and when she was designed there was no difference of opinion between Mr. Barnaby and himself. Upon that question, the speech of the noble and gallant Lord the Member for Waterford (Lord Charles Beresford) threw no light. It was a most remarkable fact that from the moment he (Mr. Reed) spoke on this question last year, every official and responsible person had put out of sight, as a matter of no consequence, the very basis of the design which was put forward from the Constructor's Department. Was Parliament, he would seriously ask, to be treated with so little consideration that, after a design for the most important ship in the Navy had been put forward on a certain basis, and after Parliament had discovered that that basis had been wholly departed from, every officer responsible to the House, from the First Lord of the Admiralty down to the Constructor, might ignore the undertakings with which the ship was commenced, the agreements which had existed between the Constructors, and turn their attention to what the ship was, ignoring altogether the consideration what she was to be? His view was that if the Government did not do something to recognize their obligation to the House in this matter, their Parliamentary criticism, and even Parliament itself, was vain; and they might as well vote the Estimates *en bloc* without attempting to examine details. He said further that unless Government took some steps, at least to the extent of recognizing the position which he was representing, he, for one, should not come into that House at any future time to make any criticisms. He confessed his memory was busy when he heard the remarks of the noble and gallant Lord. He could remember the censures which had been passed upon himself (Mr. Reed) in connection with what he had said about the *Captain;* and he could recollect how in many cases the very naval officers who had censured him for criticizing the *Captain* before she was lost, then turned round after she was lost, and endeavoured to cast obloquy on him for not having sufficiently warned the Admiralty. When he heard the statement made by the noble and gallant Lord cheered by the right hon. Gentleman the Member for the City of London (Mr. Goschen), who was the person by whom the ship was proposed to the House, he began to rub his eyes and ask himself whether he was dreaming. The noble and gallant Lord spoke of this marvellous and invulnerable belt which could not be hit, but which occupied the position in which armour plating could be hit, and with fatal consequences; but the noble and gallant Lord told them, with a smiling air of superior information—with that almost rollicking confidence which characterized gentlemen of his class, and especially at a youthful period of their career—that, in effect, the *Inflexible* could not be hit where every other ship was in extreme danger of being hit. But that was not all. He (Mr. Reed) had had the honour and privilege of being associated with naval officers when connected with the Admiralty, more especially with reference to the probability of ships being struck at sea; and that which had been impressed upon him over and over again was that not only was a ship likely to be hit in the position in which the belt was placed, but even below it, and continual pressure had been put upon him to carry the armour plating down lower. Well, that being the case, what was his astonishment to hear the noble and gallant Lord announcing that the 200 feet of which he had spoken could not be hit. But the noble and gallant Lord unfortunately for himself sent a shell into the centre of his own theory, for he said that while the *Inflexible* could not be hit between wind and water, one shell or shot striking the *Shah*, an unarmoured ship, would send her to the bottom. [Lord CHARLES BERESFORD:

I said if a shell struck her in a vital part.] He had no doubt the noble and gallant Lord meant to say if the shell had struck the vitals of the *Shah;* but he (Mr. Reed) was criticizing what he did say actually, and the noble and gallant Lord had said nothing of a vital part. All he could say was, that if they could construct ships like the *Inflexible*, which could not be hit, nothing could be easier than to build good sound, safe ships for Her Majesty's Government. If they could secure 200 feet from being struck, why should they have 100 feet of armour plating at all? Well, then as to the question of cork and canvas cells. In past times, the Admiralty had not scrupled to make experiments on devices for the resistance of shot. Why, he asked, had they not instituted experiments to ascertain the value of the cork and canvas of which they had heard so much? The Committee of 1871 represented the great desirability of experiments being made, and strenuous efforts had been made to secure that they should be. Why, therefore, had they not been made? The right hon. and gallant Baronet the Member for Stamford (Sir John Hay) had sat on a Committee to inquire into the subject of armour plates, and after a long and patient investigation, they had come to the conclusion that a single plate was the best. He challenged the right hon. Gentleman the First Lord of the Admiralty to put a section of the *Inflexible* between wind and water, as she was to be constructed, down at Shoeburyness, and to let the artillery do their best or their worst with it. By the result of such an experiment, if made without Admiralty control, he was prepared to abide; but he was not prepared, without a protest, to see the Navy committed to this new defence, which had not only not been tried, but which for some reason of their own the Admiralty went on refusing to test. The hon. Gentleman the Secretary to the Admiralty complained that reference had been made to the Instructions given to the Committee by the Admiralty. What happened was this—Last year in his place in the House he pressed for the Instructions, but experienced considerable difficulty in the matter; ultimately, however, he received them before the end of the Session. On perusing them he found they were very deceptive, for there were two paragraphs which were evidently not written by the same pen which drew the last. The two he spoke of were so drawn that they might have been answered entirely in favour of the Admiralty, although the facts were entirely against the ship. He had another serious objection to make, not, of course, as an individual, but as a Member Parliament, in which character he was not prepared to submit to any obloquy or to offensive remarks which permanent officials or servants of the House might make against him. He was told at the Admiralty, when he asked about the *Ajax* and the *Agamemnon*, that what might be true of the *Inflexible* in the way of instability under certain conditions would be found to be at least equally true of the *Ajax* and *Agamemnon.* That was a serious thing to hear, and he called the attention of the Admiralty to the fact that no reference whatever was made to the Committee, in these Instructions, with respect to those ships. Indeed, up to this moment, they had not heard a syllable from any responsible lips as to the *Ajax* or the *Agamemnon.* The Admiralty replied that they had referred his letter to the *Inflexible* Committee, and he concluded that they would have the views of the Committee on the *Ajax* and the *Agamemnon;* but—and this was what he complained of—when he got the Report he found that the Committee were ordered not to inquire as to the two ships in question, and that, in fact, the receipt of his letter had not caused the Government to extend the scope of the inquiry in any respect. The consequence was, that the House had neither opinion nor information as to either the *Ajax* or the *Agamemnon.* He wished, therefore, to ask the First Lord of the Admiralty, whether he intended to give such a form to Ministerial responsibility in that House as to refuse information on a subject which caused great anxiety and concern? If this was so, it had altogether altered his view of Ministerial responsibility; for he had thought that a Minister was the selected embodiment of all that was just and natural in the House, and was the protector of all that was dear to the House. In this instance, however, the heads of the Admiralty had become the instruments of their subordinates, and had kept back information from the House to which it was entitled. The Secretary to the Admiralty had made a strong point of the fact that the *Inflexible* was not intended to be an unsinkable ship, and seemed to think that was a complete answer to his (Mr. Reed's) objection. But that was not the question. The question was whether or not the Government had caused to be constructed, for the first time in the history of iron-clads, a capsizable ship, and this under the guise of having built a vessel which should be exceptionally protected against danger from shot and shell hurled against her. There was not a shadow of an answer to what he had said in the reply which the hon. Gentleman had just addressed to the House. If the hon. Gentleman thought to the contrary, it was clear that the whole point of last year's debate had gone past him like an idle dream. No doubt, if the *Inflexible* were kept in an upright position, she would take as long a time to sink as any other vessel; but what filled him (Mr. Reed) with horror and alarm was that, under the guise of giving the ship exceptional protection and a superiority to all other ships, they had narrowed down the armour to such an extent, and made the unarmoured parts so large, that for the first time our officers and seamen would be subjected to the danger of their vessel capsizing. The Board of Admiralty were living in a Fool's Paradise, if they supposed that the Report of the Committee on the ship was in her favour in comparison with what she was intended to be. What he complained of was that the *Inflexible* was put forward as being the finest iron-clad ship in the world, although she had in her the element of danger to which he had alluded —namely, the risk of capsizing. With regard to much in the speech of his hon. Friend the Member for Lincoln (Mr. Seely) he agreed; but he just as distinctly disagreed with some other parts in it. One criticism he would make with regard to the speech, was that it was an unfortunate one to make just prior to a discussion as to the merits of the construction of the *Inflexible*. Something had been said about the weak bottom of the *Invincible*. Now, the whole story of that was that certain ships of that class—the *Defence* and the *Resistance*—had single bottoms; but that, in the case of the *Invincible*, it was thought advisable to try an additional bottom two or three feet from the other rather than stick to the original bottom of one thickness, and he had no doubt the alteration was conducive to safety. He was not, on light grounds, disposed to say anything that would produce a general distrust of the Admiralty, or cause its work to be criticized adversely. They were now building several vessels of which he did not approve; but he had never criticized them, because he did not think they embodied any great or dangerous novelties. It was easy to criticize designs and to suggest alterations here and there. If the Angel Gabriel came down from Heaven and turned Naval Constructor, and his designs were submitted to a Committee of 16, he believed the Committee would undertake to improve them. He believed that no abler men could be found than those in the Constructive Department of the Navy at the present time. In his knowledge of naval construction Mr. Barnaby was not to be surpassed, nor were his colleagues. But it must be remembered that that was no reason why hon. Members of the House of Commons should be deprived of their right to criticize the acts of that department on great occasions. We happened to live in times of rapid change, when a ship was a series of compromises, and when, consequently, criticism was not only legitimate but desirable; and able as those men were, he considered that in building the *Inflexible* they had produced a ship which was wanting in stability. When he and others complained of the course which had been taken in this matter, the Secretary of the Admiralty, instead of endeavouring to trample out criticism, and to put him (Mr. Reed) to obloquy, ought to have welcomed that criticism in the full assurance that, instead of having any desire to humiliate or to weaken the Admiralty, his object was to assist and to strengthen it. He must, however, warn the First Lord and his subordinates that if they completed the *Inflexible*, the *Ajax*, and the *Agamemnon* as they were, and without substantial improvements, particularly the two latter ships, they would have added to the Navy vessels which, whatever young and gallant Lords might say in their favour—and it was very genial and nice of them to come down to that House and use the language they did—would haunt those responsible for them all the rest of their lives, which would be a source of weakness rather than of strength, and would be viewed, when it was too late, with regret. In conclusion, he had just one word to say about the Committee, whom, by the way, he would uncommonly like to cross-examine about their Report. It was not the Committee they had been promised. The Duke of Richmond and Gordon, when questioned on the subject by the Duke of Somerset in the House of Lords, stated that the Committee would be composed of gentlemen in no way connected with the Admiralty; but whom did they find on the Committee—an Admiral, an Admiralty pensioner, an Admiralty contractor, and an Admiralty *employé*.

Mr. GOSCHEN said, that seeing the responsibility which attached to him with reference to the construction of the ship which had formed the main topic of the debate—the *Inflexible*—he thought it only just to the hon. Member behind him (Mr. Reed), to the Government, and to the House, that he should offer some few remarks. The hon. Member for Lincoln (Mr. Seely), in his speech, said that he wished so to change the present arrangements as to know on whom the responsibility for the construction of a ship rested; but he (Mr. Goschen) would point out that, however desirable it might be to secure that end, looking at the different portions in the construction of a ship, it was almost impossible to fix the whole responsibility on any one man. A certain number of persons were bound to have a voice in the matter. The Director of Naval Ordnance must be responsible for the guns, and naval and other officers must state whether certain requirements were fulfilled. As regarded the main features of the *Inflexible*, however, he certainly thought that the Board of Admiralty of the day, and himself in particular, were responsible. They were responsible for the abandonment of side armour and the adoption of a central citadel. With the First Lord, of course, rested the responsibility attaching to the adoption of a particular principle in a ship; but if he had laid it down that the ship was to be safe, though her unarmoured ends were shot away, and if, when the ship was completed, that condition had not been fulfilled, it was evident that the responsibility for the defect fell upon the Constructors. He did not understand whether his hon. Friend the Member for Pembroke claimed to be the designer of the general features of the *Inflexible* or not; but he wished to call the attention of the House to one point that had not been much touched upon—the fact that it was impossible to secure any advantage in iron-clads or ships in general without some corresponding disadvantage.

Mr. E. J. REED said, the Committee of Designs had distinctly refused to adopt the system until it had been subjected to experiment, and his position was that it never had been.

Mr. GOSCHEN said, his hon. Friend the Member for the Tower Hamlets (Mr. Samuda) had declared that he preferred the *Devastation* to the *Inflexible*, because the former had her sides covered throughout. But the case stood thus—The *Devastation* on her unarmoured ends had got 9 or 10 inches of armour in thickness, and the *Inflexible* none; while, upon the other hand, the *Inflexible* had 24 inches over the vital parts, and the *Devastation* only 14. If, consequently, a shot were fired from the 80-ton gun at the 14-inch armour of the *Devastation*, she would go to the bottom at once, being penetrated in a vital part.

Mr. SAMUDA: A shell exploding might send a ship to the bottom; but not a shot, and a shell could not penetrate and explode after doing so.

Mr. GOSCHEN: I think a shot going through the boilers would send the ship down.

Mr. SAMUDA: I have no objection to the right hon. Gentleman thinking so; but it is a fallacy notwithstanding.

Mr. GOSCHEN said, it stood to reason that what were termed the vital parts of the ship were called so because one or two shots would probably destroy, if they penetrated those parts. It was, therefore, the principle of the *Inflexible* to have the armour concentrated on the vital parts of the ship, and not on those parts which were less likely to be damaged by shot or shell. His hon. Friend the Member for Pembroke, who attached such great importance to the thickening of the armour in the vital parts would, he felt sure, concur with him in saying that that position was entirely correct. His hon. Friend, he might add, rather ridiculed the noble and gallant Lord opposite (Lord Charles Beresford) for stating that there would be great difficulty in hitting that portion of the *Inflexible* which was not protected by armour; but the question was not of one or two blows, because the whole point in the case of these ships was, that it required a very considerable number of shots and shells, they being divided into compartments, before any impression could be made upon them. This was the point of his argument—that 300 shots would be required to produce the disabled and water-logged state, and that was a calculation made on authority equal to that of the hon. Member for Pembroke. The statement, however, went further than that. Not only 300 shots, but 300 hitting shots, would be necessary before the unarmoured ends could be so completely gutted as to give no stability, and artillery officers would be able to calculate the total number of shots required to produce that result. Scientific men had assured him that it was, in effect, the Report of the Committee—that the risk of casualties to the unarmoured ends great enough to destroy the stability of the ship was so remote that it need not be taken into consideration. It was, in the opinion of the Committee, of less importance than other dangers, and it was more desirable to increase the weight of the guns and the speed and general capacity of the ship. He gave that for what it was worth, as the opinion of those who were in favour of the new system, which, he might remark, the Italians had carried into effect. He wished to know in what position they would be if they used armour in covering the ends of the ship, and were obliged in consequence to reduce the weight of the guns, or the thickness of the turrets? The result would be that, instead of the possibility of being disabled at the end of the action, the armour would be penetrated at the beginning. The ship, by-the-by, was not built as it had been originally designed, and his hon. Friend (Mr. Reed) had shown him the means of avoiding all responsibility in regard to it; but he should not in any way avail himself of them. His hon. Friend had threatened the present Admiralty and the Constructors with the prospect of being haunted by the *Ajax* and the *Agamemnon* for ever afterwards. He (Mr. Goschen) himself remembered the case of another ship, the anxiety with respect to which might well have taken a year from a man's life—he meant the *Devastation*. The House would recollect what had been said about that ship, how often she had been denounced, and how it had been said that he would be guilty of manslaughter if he sent her to sea; while others complained that if she were not commissioned, he would be responsible for weakening the power of the English Navy, and for not keeping pace with the progress of other nations. The *Devastation* might have been attacked much more fiercely than the *Inflexible*, yet she did her work so well that no one ever inquired about her. She was a very fast vessel, and, as he believed, quite one of the most powerful in their possession; but if the Admiralty had yielded to some noble Lords, right hon. and gallant Baronets, and hon. Members, as critics and advisers, they would have stopped the *Devastation*, and she would never have been in the Mediterranean at this time. And yet hon. Members opposite were to be haunted by the *Inflexible!* His hon. Friend would allow him not to retreat from his responsibility; for, for his own part, he did not wish the present Government to have the whole credit of that ship, which was a considerable advance on all her predecessors. It was a most important step to decide on increasing her armour and the weight of her guns, and what the House and the public ought to ask itself was whether, with her 80-ton guns and her 34-inches of armour, she was not a most powerful ship in spite of all possible contingencies? Now, with regard to the stability of the ship, what in particular laid it open to criticism now more than at the time when she was originally designed? One of the circumstances that had made the change was, he believed, the increase in the weight of her four guns from 60 to 80 tons. As at first designed, according to the original calculations, she was intended to carry 60-ton guns; but ultimately 80-ton guns were substituted for that armament—a change which made a total difference in weight of 200 tons, and altered the whole proportion of the ship. That change was not made during his tenure of office, and he could not, consequently, speak with certainty; but he understood that the Admiralty and the Constructors, having to provide for the extra 200 tons, had two courses before them, and had to choose between a reduction of the armour and a diminishing of the stability. They appeared to have determined to keep the ship in other respects as she was, and to increase the weight of the gun, and nevertheless they thought that she would have sufficient stability afterwards. What had subsequently occurred could be stated by the right hon. Gentleman the First Lord of the Admiralty. The noble Lord the Member for Chichester (Lord Henry Lennox) said he (Mr. Goschen) had stated that the ship was to have the same stability when the unarmoured ends were shot away as she had before. That was not correct. He did not say that it was ever proposed that she would be able to fight as well with the two ends shot away as she was before, but that she ought to be able to float in safety. The hour was too late for him to go through the Report of the Committee in order to show how far that requisite was satisfied—namely, that she should have sufficient floating power in the event of her being reduced to that state; but he thought that neither the hon. Member for Pembroke nor any other hon. Member who had addressed the House, had sufficiently dwelt on the offensive power of that great and enormous ship. They had always spoken of her as if she was to be treated as a target, and remain in one position, to be fired into, without bringing her tremendous power into play. Now, it was that tremendous power by which they had set such store. And what adversaries was she intended to meet? If she met antagonists who had more protection for the sides, and less protection for the turrets and the boilers, she was certain to reach the turrets and the boilers of other ships before they had fired sufficient guns to destroy her unarmoured ends. His hon. Friend behind him drew a distinction between capsizing and sinking; but he presumed that in both cases she would go to the bottom. His hon. Friend said it would take a longer time in the one case than in the other. If the *Shah* or the *Inconstant* were shot through in a very vital part below the water-line, they would sink. But, although the hon. Member might hold that the *Inflexible* would capsize suddenly after her ends had been destroyed, he seemed entirely to overlook the fact that that was a very long process, because one or two shots would not effect it. One or two shots could not destroy the whole of the work, because it was admitted in evidence that as long as the cork remained in she would not be in that dangerous position. The contention was that all the iron inside remained, and the cork was shot out; but it was distinctly held by the naval men and the artillery officers that the *Inflexible* could not be reduced to that state in so short a space of time as could be regarded as a surprise. The hon. Member for the Tower Hamlets (Mr. Samuda) said that if the Admiralty had put one plate of 16 inches on the citadel instead of two plates 12 inches each, they would have got from their 16 inches the same amount of resisting power. That seemed to him a most extraordinary statement, and one which the First Lord of the Admiralty would probably notice; because, if it were correct, it would appear to be a gross blunder to put 24 inches of iron where 16 would suffice. If they had had 16 inches there, they might have had a great deal of iron to spare, and they might have used it in protecting the unarmoured ends, or in some other way, but not in putting it all in one spot. He believed that our naval Constructors had followed a different system from the Americans. They had 12 inches of armour, then 10 inches or 12 inches of teak backing, then another 12 inches of iron, and the rest of teak; the whole being infinitely stronger than 16 inches of plating. That was not a matter of theory, but actual experiments had been made at Shoeburyness specially to see what plan should be adopted; and if the officers of the Department could be convicted of putting 24 inches of iron where 16 would suffice, that would be a very grave charge indeed against them. It was a very great question of naval policy whether you ought to protect unarmoured ends, or to concentrate protection. Those who thought a great deal of the defensive armour of a ship said—"Let us sacrifice her offensive power, let us sacrifice her speed, or make some sacrifice in her guns, but let us protect these ends." Others said—"If we must make some sacrifice, we had better make a sacrifice in that which is improbable to occur at the end of the ship in order that we may have a more powerful ship afloat at the commencement of the action; at all events, we ought to go into action as powerful as any other country, with armour as thick as that of any other country." These were the views that had guided those who originally designed the ship, and he trusted that in the result they would prove to be correct.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Gorst.*)

THE CHANCELLOR OF THE EXCHEQUER said, he was sorry that his right hon. Friend the First Lord of the Admiralty had not had an opportunity of making his Statement, and especially that he had not had an opportunity of taking part in the preliminary discussion which had occupied so large a part of the evening, and on which he naturally wished to make some observations; but Her Majesty's Government were informed that a great many hon. Gentlemen desired to take part in the discussion, and it would be impossible to finish it to-night. Under those circumstances, Her Majesty's Government could not resist the Motion for Adjournment, and they proposed that the debate should be adjourned till Thursday.

Question put, and *agreed to.*

Debate *adjourned* till *Wednesday.*

BANKRUPTCY LAW AMENDMENT BILL.

(*Mr. Attorney General.*)

[BILL 119.] SECOND READING.

Order for Second Reading read.

THE ATTORNEY GENERAL (Sir JOHN HOLKER): Sir, the Bill which I am now asking the House to read a second time passed through the House of Lords last Session; but, owing to the great pressure of Business in this House, and the fact that other measures were deemed by those who had charge of the Government Business of more vital importance, those who had this Bill in hand were unable to bring it forward; and, as a consequence, it has never been debated in this House. During the present century there has hardly been any subject on which there has been so much legislation, and, I regret to say, so much unsuccessful legislation, as on the subject of bankruptcy. Originally, the debtor was looked upon more as a criminal than anything else, and he was handed over to his creditor to be treated in the most summary way. After some time, it was found necessary that this severity should be mitigated, and that some means should be discovered for enabling a man who had conducted himself creditably and blamelessly to escape from all punishment for non-payment of his debts, provision being made, at the same time, that his estate should be secured for the benefit of his creditors, and distributed rateably amongst them. The objects were to make the fraudulent debtor still remain liable, and to reward the innocent by freeing him from all liability, and enabling him to start fresh in the world. Secondly, the object was to efficiently administer the estate for the benefit of creditors. Since 1869, however, indebtedness has ceased to be considered almost as a crime, and imprisonment for debt has been abolished. The freedom of the debtor from punishment, by refusing to allow him to be discharged from his debt, is not now a matter of so much importance as formerly, the object of the law being now to secure that, at the earliest possible moment, the debtor shall be induced or compelled to call his creditors together, and to transfer his estate to the trustee for the benefit of his creditors, with the view that his estate shall be fairly and properly administered. If the Bankruptcy Law succeeds in securing these advantages, and in accomplishing these ends, it should, it seems to me, be satisfactory to the community; or, at all events, such part of the community as is not interested in the perpetuation of a mischievous, ineffectual, and expensive system. Such a law may be pronounced a good law, and such a law, I hope, hon. Members will find in the Bill which I am now about to explain. I am not going to trouble the House with any history of the Bankruptcy Acts, because, though interesting and perhaps advantageous, at this hour it would be found tedious. It will be enough to say that for some time prior to the Act of 1861, the system of bankruptcy was essentially a system of officialism. The Court and its officials controlled everything, directed everything; and, practically, the creditors had little or no power. In 1861, an Act was passed, Lord Westbury being the Attorney General at the time; which, though it did not give the creditors complete power, yet gave them greater power than they formerly possessed. In 1869 that power was further increased by the passing of the Act which contains the law as at present administered. I believe that hon. Members will bear me out in saying that that Statute was a most carefully considered measure, and was founded on a true principle. It secured the extinguishment of officialism, it handed over the debtor to be dealt with according to the view his creditors entertained of his merits or demerits, and it entirely confided to the creditors the management of the debtor's estate. Because it did these things, I say it was founded on a true principle. It was passed with very strong expressions of approval. It may be said to have been passed amid the plaudits of Parliament. I remember especially a speech by the hon. Member for Hull (Mr. Norwood) in which he emphatically approved the measure. But it was not found to work well. It was more successful than a great many other Bankruptcy Acts; but it was not completely successful, and very soon after the Bill passed, there were complaints with regard to its operation and effects. To these complaints I would desire to call attention, because it is essential that we should know the defects in the existing system, and their causes, before we can devise any remedy that will remove them. It was said, in the first place, that it was far too severe upon debtors whose only fault was misfortune, who had behaved with honesty, and whose conduct had been *bonâ fide*. It was said, also, that it was not hard enough on the dishonest and culpable debtors, and offered to those who had contracted their debts by gross recklessness, extravagance, and improper dealings the opportunity of freeing themselves from liability for such debts, and of escaping from all punishment by means which are very easily resorted to, and carried into effect by debtors who are not scrupulous. It was further alleged that the law of 1869, which ought to have provided the greatest possible care in the conduct of estates in bankruptcy had had the contrary effect, and it had resulted from its operation that there was the greatest possible waste in the management of estates, especially of estates of the smaller sort. It was, moreover, alleged that far too great powers were confided to majorities, and that creditors, or even the representatives of creditors, perhaps made up almost altogether of the friends of the debtor, were able to impose upon the minority terms and stipulations which were essentially unjust. The complaints were so frequent, and were urged with such great persistence, that my noble and learned Friend the Lord Chancellor determined to have a thorough inquiry to ascertain whether these complaints were well founded or not; and, if they were, to ascertain what remedy could be applied. Accordingly, a Committee of the greatest possible experience was appointed, and authorized to make a thorough investigation. The Committee consisted of gentlemen of very great authority and experience—namely, Mr. Rupert Kettle, a County Court Judge; Mr. Brougham, one of the Registrars of the London Court of Bankruptcy; Mr. Mansfield Parker, a Controller in Bankruptcy; Mr. Henry Nicholl, a gentleman in an official position at the Treasury, who has the management of the finances connected with Bankruptcy Estates; and Mr. Hopcraft, a member of the firm of Linklater and Co., who has had the largest practical experience in bankruptcy matters. These gentlemen brought not only their own knowledge and experience to bear on this question, but sought for information from all important and valuable sources. They reported in July, 1875, in a joint Report. The Controller went somewhat further than his colleagues, although he agreed with them in the main, and he made a separate Report sent in some months after. The Bill which I now ask leave to be read a second time is substantially founded on the recommendations of the Committee. They found that these complaints were, in the main, well-founded, and they recognized the gravity of the defects alleged. The Committee first say that the law of 1869 is unjust to honest debtors, who are straightforward in their dealings, and are too high-minded to resort to any unfair dealing. Under the law, as it at present stands, if there is a petition in bankruptcy against a man, he is adjudicated a bankrupt at once, before there is any opportunity given to his creditors of investigating his affairs, and ascertaining what his conduct has been. At present a man whose conduct may have been thoroughly honourable, and whose commercial career has been blameless, is nevertheless affected with the stigma of bankruptcy, and is impaled, so to speak, in *The Gazette*, without meriting disgrace of any kind. This seems to me a great evil. It may be true that, after his adjudication, he is dealt with with extreme leniency, and obtains his discharge on very easy terms; but still he has been made bankrupt, and the indelible stain of bankruptcy has been attached to him. Some people may not attach very great importance to it; but to the sensitive man the stain of bankruptcy often gives very serious annoyance. This is the way in which the Act is harsh and unjust to the honourable debtor, who has fallen into misfortune. We propose to remedy this state of things by enacting that the first result of a petition in bankruptcy shall not be an adjudication. When a man is petitioned against, or petitions against himself—for that is allowed by this Bill—in the first place, the property of the debtor will be vested in a trustee, and secured for the benefit of the creditors. That is essential to accomplish at the very outset. Then, the affairs of the debtor and his conduct shall be thoroughly investigated, and the order of bankruptcy, in the first place, will be provisional only, and not necessarily follow from adjudication. If the creditors form a favourable opinion, the man may be discharged without further proceedings, or his affairs may be wound up under a deed of arrangement—for that is provided—or a composition can be accepted. The creditors will consider all these things after the petition, before it is necessary to consider whether there shall be any adjudication at all; and it may happen—in a majority of cases, perhaps, will happen—that the debtor will never be made a bankrupt at all. The next defect in the present law is the operation of Section 125 of the Act of 1869, which provides for what are called liquidations by arrangement. Under this section, a man who is unable to meet his engagements, may summon a general meeting of his creditors, who by resolution may declare that his affairs shall be liquidated by arrangement, and not in bankruptcy. No doubt, many liquidations have been conducted in a satisfactory manner, and innocent debtors discharged without being subjected to the stigma of bankruptcy, and estates have undoubtedly, in many cases, been properly collected and distributed, without undue expense and waste. Complaints would indeed be few if creditors would pay a little more attention to their own interests. But the great secret of the failure of the Act is that creditors will not exert themselves to look after their own affairs. Unfortunately, they will not; and if a man will not do a thing, it is very difficult to make him. Very often it is, unfortunately, the case that a liquidation is simply a contrivance for enabling an unworthy, perhaps sometimes a fraudulent, debtor to escape from liability to pay his debts, resulting in the gross and shameful waste of his estate. What does the debtor do who is not particularly honest and scrupulous; who does not care much for his estate, or his creditors; who is merely anxious to get free from his debts, and to do as much for his friends, and as little, perhaps, for the bulk of his creditors, as he possibly can? He selects for the meeting the most inconvenient place that he can possibly think of, and, as a consequence, the creditors do not trouble to attend in great numbers, but give their interests and votes to proxies. The debtor gets a few friendly creditors there, or perhaps people who pretend to be, yet really are not, creditors at all. They hold the meeting, and they pass a resolution. The bankrupt frequently buys the interests of those who held the proxies, and he is then able to come down with the resolution absolutely passed that he shall not be made bankrupt, but that his affairs shall be wound up by arrangement. In effect, the debtor and his friends are able to do pretty much as they like. The trustee is appointed, who is a mere instrument of the debtor, and simply carries out his wishes. The trustee appoints a solicitor, who is also managed in the same way, and the whole liquidation is conducted in this hole-and-corner fashion. The debtor is discharged with a eulogium on his honour; the trustee has the estate handed over to him, and he wastes it for his own benefit, and—though I do not wish to say anything harsh against solicitors—for the benefit of solicitors; it may be that counsel are also engaged in the matter, and the waste of the estate is the result. Under the Act of 1869, so far as liquidations by arrangement are concerned, there is no provision for the audit of accounts; and, therefore, there is, practically, no restriction upon the charges of a trustee. The upshot is, that a fraudulent debtor can get whitewashed in a gentlemanly way; his estate is dissipated by all sorts of means, and the trustee, and the few people in league with him, get a good haul, while the creditors have next to nothing. This, if not the rule, yet happens so frequently, as to have become a scandal to the administration of bankruptcy law. It is one of the great defects and evils of the present system, and we desire by the Bill to put an end to it. We wish to prevent the escape of the unscrupulous debtor, and to put a stop to the shameful waste of the estate which certainly ought to be reserved for the benefit of the creditors. In order to accomplish this not easy matter, we propose to do away altogether with liquidations by arrangement as carried on under the 125th Section of the Act of 1869. But, by the provisions inserted in the Bill, we still enable any honest arrangement to be carried out which creditors may desire, whether liquidations by arrangement, or any other sort, provided they are free from the evils involved in the present system. This will be done by reference to Provisional Orders, when there is a petition in bankruptcy against the debtor or the debtor petitions against himself. Then, after the proceedings which I have described have taken place, there is a meeting of creditors, at which they may resolve that the proceedings shall go on in liquidation by arrangement, and not in bankruptcy. But such liquidations will be essentially different from those carried on under the Act of 1869; for an application for a Provisional Order has first to be made to the Court sitting in the place where a debtor resides, or has carried on business, or where most of his debts have been contracted. The effect of that will be that creditors, however reluctant to abandon their own affairs, may be induced to attend. The Bill has this further important provision—that the trustee shall not be appointed, as now, by the votes of the creditors' proxies, but by the committee of inspection, consisting of creditors only. Thus, proxies will not have the same influence as they have in liquidations under the present law. For my own part, I confess I should like to get rid of proxies altogether. I have made careful inquiry to see if it could be accomplished; but I find it is impossible. Creditors would never be satisfied if proxies were abolished, and all we can do is to render their action as little harmful as possible. The administration of estates being placed, as I have described, in the hands of trustees really representing the interests of creditors, there is some probability of the assets being well administered. We also provide by the Bill that the accounts of trustees shall be audited in all cases, so that if there be any extravagance or waste, it will fall, not upon the creditors, but upon the person who occasions it. In addition to that, there are limitations placed upon the charges of the trustees, making the amount of remuneration of the trustees vary with the estate. I think hon. Members will find that a reasonable and just provision. I have now to refer to the fourth defect, which I mentioned as existing in the present system, administered under the Act of 1869. By Section 126 of that Act, the debtor, who is unable to meet his debts, may call a meeting of his creditors; and the creditors may, without proceeding to bankruptcy, resolve, by an extraordinary resolution, that a composition shall be accepted in satisfaction of their claims. At the meeting where such a resolution is passed, persons holding proxies for creditors may vote as well as the creditors themselves; and the consequence is, that the creditors in the debtor's interest, and the debtor himself, very often brings about an acceptance of the composition. The minorities are thus often compelled to accept arrangements and stipulations which are unfair and inadequate. That is the evil under the present system; and, of course, it is somewhat difficult to find a remedy. But the provisions we have made will, I think, completely remove the defect. We provide by the Bill that the deeds which are to be binding on minorities are not to be merely those sanctioned at meetings of creditors, but such as are filed in Court a short time after. There is also to be deposited, after the filing of the deed, a complete list of debts and assets; and before the deed can be even provisionally binding, it is to be absolutely assented to by a majority representing three-fourths in value of the creditors who are required to give their assent in writing, without the intervention of proxies. It is further provided that the deed shall not even then be binding until confirmed by the Court; and the minority will have an opportunity of showing cause to the Court why the deed should not be confirmed at all. The deeds, which by the Bill may be made binding on creditors, are not simply to be composition deeds, but those for winding up the debtor's estate in any way whatever. The effect of this alteration of the law will be that the majority of creditors will only be able to bind the minority in cases where the majority really votes in the matter. And minorities have thrown around them many opportunities of protecting their interests, which they do not possess under the existing law. I do think these provisions will remedy the evil which now exists, through the extreme power of majorities to bind minorities to unfair stipulations and arrangements. I will only detain the House further to mention one or two provisions of the Bill in detail, to show that I have not forgotten them. One is a provision which greatly simplifies the proceedings in debtor's summonses, and another clause requires the trustees of a debtor's estate periodically to account for the payment of unclaimed dividends. A question has been asked me about a debtor's discharge; and the provisions in the Bill with regard to that subject are, that a debtor shall receive his discharge if the creditors think proper within a year. It requires a certain majority of the creditors in number and value to consent. After the lapse of a year, a smaller majority is sufficient; and at the end of two years the debtor is entitled to his discharge, unless some creditors lay a complaint before the Court with regard to his conduct. If, upon investigation, the Court finds he has been guilty of any offence mentioned in the sections, it can suspend or refuse the discharge. These latter provisions have been practically copied from the Act of 1861. There are other provisions which, owing to the lateness of the hour, I will not now explain. I beg to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Attorney General.*)

SIR HENRY JAMES: Sir, I do not wish to complain of the hon. and learned Gentleman for bringing on this Bill; but I think it has been brought on in a House which did not expect it this evening. It was supposed that the Navy Estimates would occupy the whole time of the House, and many hon. Members who wish to take part in the discussion are not now present. The hour at which we have arrived is, unfortunately such, that the hon. and learned Member abstained from explaining certain details of the Bill, and apologized for occupying the time of the House; and still more will other Members, not holding his distinguished position, be under the necessity of apologizing. I hope the Government will not wish to proceed with the Bill this evening; but if there is any particular reason why the second reading should be taken now, I think it would be satisfactory both to Her Majesty's Government and to the House that the second reading should now be taken *pro formâ*, and that the real discussion of the measure should be taken on the Motion that you, Sir, do leave the Chair. If that course should be acquiesced in, I hope it will be distinctly understood between ourselves that we shall have no hurried discussion on the occasion to which I refer, and that full Notice will be given of the Motion being made, and also that the discussion will be commenced at such an hour as will afford a full opportunity for debate. I may mention that the Bill has only been printed a very few days, and that it certainly has not been laid before the great commercial bodies who take a deep interest in the question.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, he was quite willing to adopt the suggestion of the hon. and learned Member for Taunton. If the House would allow him then to take the second reading, he would undertake that an opportunity should be afforded for a full discussion of the clauses of the Bill—that a reasonable Notice of such discussion should be given, and that the next stage should be taken at an early hour in the evening.

MR. WHITWELL said, he was pleased to hear the announcement of the hon. and learned Attorney General, as the subject was one of great practical importance, and the Bill had only been a few days before the House.

Mr. Serjeant SIMON said, he should be willing, on the strength of the undertaking which had been given, to withdraw the Amendment, of which he had given Notice.

Amendment, by leave, *withdrawn.*

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* 25th March.

BANKRUPTCY ACT (1869) AMENDMENT BILL—[Bill 89.]

(*Mr. Sampson Lloyd, Mr. Norwood, Mr. Whitwell, Mr. Ripley.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Sampson Lloyd.*)

The ATTORNEY GENERAL (Sir John Holker) said, he believed the provisions of the Bill would be found in the Government proposal, and he could only assent to the second reading on the understanding that if the Government measure was proceeded with, this one should not be pressed.

Mr. SAMPSON LLOYD said, he should be very glad to accept the condition of the hon. and learned Attorney General. This Bill was not intended as an opposition to the Government scheme; but, as it had been introduced at the instance of a considerable body of commercial men, he would feel obliged if the House would allow it to be read a second time.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* 25th March.

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Tuesday, 12th March, 1878.

MINUTES.]—Public Bills—*Second Reading*—Matrimonial Causes Acts Amendment (34).

Referred to Select Committee—Contagious Diseases (Animals) (37).

Select Committee—Entail Amendment (Scotland)* (15), *nominated.*

Committee — Report — (£1,000,000) Exchequer Bonds*

Report—Territorial Waters Jurisdiction* (38-40).

MATRIMONIAL CAUSES ACTS AMENDMENT BILL—(No. 34.)

(*The Lord Sudeley.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Lord SUDELEY, in moving that the Bill be now read the second time, said, he had to ask their Lordships to give a second reading to this Bill, which was one of some importance as amending the Matrimonial Causes Act; but, at the same time, it was one of so simple and brief a character that it would, he trusted, at once commend itself to their Lordships' favourable consideration. The object of the Bill, shortly stated, was to remove certain practical injustices which had proved themselves in the working of the present Act. By the 2nd clause, the system of allowing costs was placed on a footing fair to both parties. As the law stood at present, if the Queen's Proctor or any other person intervened against the decree *nisi*, he could, if successful, obtain costs; but, on the other hand, if unsuccessful, the petitioner had no power of recovering costs from him. That was manifestly unjust, and the Bill proposed to give the Court full power to make such order as to costs as might seem just. The Treasury agreed to the possible case of the Queen's Proctor being mulcted of costs, and provision was made by the Bill that such expenses should be deemed part of his office charges. The principle was the same as was introduced many years ago in Revenue cases, and which had been found to work well. By the 3rd clause, power was given to the Court to order provision to be made for the wife, notwithstanding that the husband had been proved guilty of a matrimonial offence and that no decree had been granted. The law, as it stood at present, was in rather an anomalous position. If the Queen's Proctor or any other person intervened between the rule *nisi* and the decree and proved collusion, or that the husband had been guilty of a matrimonial offence, no provision could be made for the wife. Thus it acted as an absolute bar against the wife making any attempt to prove the husband's guilt; because she knew that if she succeeded, she would lose all prospect of a provision being made for her. The result was, that while an innocent husband could be made to make provision for his adulterous wife, the guilty husband could not be made liable. It was clear that this placed the wife in a wrong position, and threw the burden of intervening entirely on the Queen's Proctor, if, perchance, he might have heard of the husband's failings. Under the 4th clause, increased power was given to the Court to look into settlements. At present, if there was no child living at the time of the decree, the settlement could not be touched, and considerable injustice consequently frequently occurred. For instance, a husband might have made a considerable settlement on his wife; but, as the law now stood, provided there were no children living when the decree was made, the money could not be restored to him, and he must be content to see it used, in all probability, in maintaining his wife's adulterer. The Bill gave power to the Court in their discretion to look into settlements in all cases, and to make an order for the benefit of either parent, as they might consider desirable. It would be in the recollection of their Lordships, that this Bill passed a second reading last year; but that owing to the lateness of the Session when it came up from the other House, there was no opportunity of advancing it another stage. The Bill had this year passed through the other House without amendment; it had the warm approval of the Judge of the Divorce Court, and the Law Officers of the Crown gave it their assent in the other House. He trusted, therefore, that their Lordships would now give it a second reading.

Moved, "That the Bill be now read 2^{a}."—(*The Lord Sudeley.*)

THE LORD CHANCELLOR said, the Bill was one which had received very full consideration in the other House, where it had passed, and it had also received the approval of the learned Judge who presided over the Court of Probate. He believed it would be found very useful in its operations, and therefore, under the circumstances, he certainly should not oppose the second reading.

Motion *agreed to;* Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

CONTAGIOUS DISEASES (ANIMALS) BILL—(Nos. 22-37.)

(*The Lord President.*)

COMMITTEE ON (RE-COMMITMENT).

Order of the Day for the House to be put into Committee on (Re-commitment) read.

LORD EMLY moved, that the Bill should be referred to a Select Committee. He said that he had received communications in regard to Canada, in which the writers protested strongly against Canada being treated as a foreign country, and not regarded as an integral part of the British Empire. He was quite sure the House would sympathize with that view, and not shock the loyal sentiments of the people of Canada by passing any slight upon them.

Moved, "That the said Bill be referred to a Select Committee."—(*The Lord Emly.*)

THE DUKE OF RICHMOND and GORDON said, that he had stated the other evening that he would have no objection to refer the Bill to a Select Committee. He understood, however, that on that occasion the noble Lord had based his proposal for a Select Committee mainly on the Irish case as regarded the restrictions placed upon the cattle trade from that country; but it would now appear that it was the Colonial question to which the noble Lord wished the attention of the Committee to be directed, and that he had dropped the Irish question.

LORD EMLY: I have added the Colonial question.

THE DUKE OF RICHMOND AND GORDON believed that the noble Lord had been looking further into the Irish question, and finding that he had not so good a case as he expected, he wished to strengthen it by an infusion of the Colonial element. However, without bandying words, he was quite willing to refer the Bill to a Select Committee, on the understanding that this step was not adopted with a view of obstructing the progress of the Bill. He was sure that the object of his noble Friend (the Marquess of Ripon) in wishing that Bill to be sent to a Select Committee was not obstruction, but that certain points should be more fully considered. This would not occupy much time, and, in fulfilment of his promise, he would make no objection to referring the Bill to a Select Committee. He hoped they would be able to discuss it again in Committee in their Lordship's House before many days.

Motion *agreed to.*

Order *discharged;* and Bill *referred* to a Select Committee.

House adjourned at half past Five o'clock to Thursday next, half past Eleven o'clock.

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HOUSE OF COMMONS,

Tuesday, 12*th March,* 1878.

MINUTES.]—SELECT COMMITTEE—Poor Law Guardians, &c., *appointed.*

PUBLIC BILLS — *Ordered* — Borough Franchise (Ireland)*.

Second Reading—Metropolis Waterworks (Purchase) [58], *debate adjourned.*

QUESTIONS.

* * *

VACCINATION ACTS—CASE OF MR. ABEL.—QUESTION.

MR. JAMES asked the President of the Local Government Board, Whether it is the case that Mr. Abel, of Faringdon, has been fined twenty-six times, and in the total sum of £29 10*s.*, in the past two years, for refusing to have his child vaccinated; if he can state why the board of guardians have employed Mr. Haines, a local solicitor, as prosecutor on no less than eight of these occasions, instead of the vaccination officer; and, whether the conduct of Mr. Goodlake in this case occupying a dual capacity both of judge and prosecutor, as chairman both of the board of guardians and also of the local magistrates, does not call for some immediate alteration of the Law?

MR. SCLATER-BOOTH, in reply, said, he believed the figures quoted by the hon. Member were correct. He was informed that it was the practice of the Board of Guardians to employ a solicitor in cases which they brought before the magistrates, who allowed the costs of such solicitor. The legality of the proceeding was brought before him last year on more than one occasion. He had made inquiry, and had no reason to doubt the perfect legality of the transaction. He was informed that Mr. Goodlake, the chairman of the Board of Guardians in question, was not the chairman of the bench of magistrates at Faringdon, and that he did not sign the orders for the prosecutions, which had been issued at the unanimous desire of the Guardians last year—a severe outbreak of small pox having brought the necessity for such a course home to their minds.

CRIMINAL LAW—CASE OF JOHN ROBERTS.—QUESTION.

MR. P. A. TAYLOR asked the Secretary of State for the Home Department, Whether, at the last Manchester City Sessions, John Roberts was sentenced by the Assistant Barrister as an incorrigible rogue, under 5 Geo. IV. c. 83, sec. 5, to imprisonment for 12 calendar months with hard labour, and to receive 12 lashes with the cat, to be administered on two occasions; whether whipping under the section in question has not been long obsolete; whether there is any power to flog twice; and, whether the Secretary of State will suggest that this part of the sentence be not carried out?

MR. ASSHETON CROSS, in reply, said, that, at the same sessions at which the man was tried, the Recorder altered the sentence, and the whipping was remitted.

CRIMINAL LAW—THE FENIAN CONVICT PATRICK MELODY.—QUESTION.

QUESTION.

MR. O'CONNOR POWER asked the Secretary of State for the Home Department, If he will state on what grounds a visiting order received recently by Joseph Melody, who was about to visit his brother, Patrick Melody, a prisoner confined at Portland Convict Prison, was cancelled; and, whether it is true that Kate Gleeson, cousin to O'Meara Condon, a prisoner confined in the same prison, applied for an order to visit him five or six weeks ago, and that no reply has yet been sent to her application?

MR. ASSHETON CROSS: In reference to the first portion of the hon. Member's Question, I have made inquiries into the matter, and I find that Joseph Melody wrote to know whether the time when he could make a visit to his brother Patrick was due; and, on ascertaining that it was, the Governor sent for Patrick Melody, and asked if he wished to receive a visit from his brother. On his saying he did, an order was sent; but, before that order was received, Patrick Melody committed two offences against prison discipline; and, although nearly half the punishment had been inflicted, the privilege of seeing his brother was suspended during the whole time that the punishment lasted. That, however, would soon end, and the visit would take place in the usual way. With regard to the second part of the Question, there seems some difficulty about the matter. I am informed that a letter was received, addressed to Edward Shore and signed Kate Gleeson, who stated that she was a cousin of the prisoner; that she had just come from America, and was anxious to visit him. The Governor sent for Shore, and asked him if he had a cousin of that name and if he wished to receive a visit from her? Shore seemed astonished and doubtful on the subject. The Governor, therefore, handed the note to him to see if he could recognize the writing. The next day the prisoner returned the note, and said he declined to receive the visit, as the note must be intended for some other prisoner of that name. As there was no other prisoner of the same name, the matter then ended.

NAVY—CASE OF THOMAS MAGUIRE.

QUESTION.

MR. O'CONNOR POWER asked the First Lord of the Admiralty, Whether it is true that Thomas Maguire, formerly a Marine, was discharged the service from Plymouth Barracks, in March 1873, after nineteen years' service, without a pension; and, if so, whether he will state the grounds upon which the discharge was made?

MR. W. H. SMITH: It is true that Thomas Maguire was discharged from the Royal Marines in 1873 without a pension, and on the following grounds:—Maguire had been discharged as an objectionable character in 1868, but was re-instated in the Service. This act of leniency, however, caused no improvement in his conduct. Since his entry in 1855 his name appears in the defaulters' book nearly 40 times. He has been guilty of theft, drunkenness, insubordination, and other offences; and, having become a confirmed drunkard, he was finally discharged in 1873 as an objectionable character.

MERCHANT SEAMEN'S ACT—INSUBORDINATION ON SHIPBOARD.

QUESTION.

MR. PLIMSOLL asked the Secretary of State for the Home Department, If his attention has been called to the case of six seamen having been charged for refusing duty on board the "Tiara," the allegation against them being that they refused to wash the deck on a Sunday morning; upon proof of which they were sentenced by two Liverpool magistrates to twelve weeks in gaol and forfeiture of wages, that being the maximum punishment inflicted even where danger to the ship and to lives on board results from insubordination; and, whether, if the facts are as stated, he has any objection to order the immediate release of these men?

MR. ASSHETON CROSS, in reply, said, according to a letter he had received from the magistrates, the men were not in prison, so he could not let them out. In the next place, there must be some great mistake in the evidence, as nothing was said about refusing to wash the deck on Sunday morning. The men were not imprisoned for 12 weeks, nor was the maximum forfeiture of wages imposed upon them. What the magistrates said in answer to the evidence which had been sent down to them was that there were two informations—one against some of the men for disobedience of lawful orders on the high seas on the 1st of December, and the second against others of them for the same offence on the 8th of that month. Both those days, however, were Saturdays. Upon the case being called on, Dr. Cummings, who appeared for the men, said that they pleaded guilty. No evidence, therefore, was taken. The two magistrates before whom the case was tried, after hearing a statement of the circumstances, thought it one for four weeks' imprisonment, and not 12, and for two days's deduction of pay, and not the maximum amount. The seamen were in combination, and it was on that account the punishment was inflicted. The version of the transaction contained in the hon. Gentleman's Question was evidently incorrect.

THE ORDNANCE SURVEY.—QUESTION.

Mr. OSBORNE MORGAN asked the First Commissioner of Works, Whether he can state to the House the cause of the delay which has occurred in carrying out the Ordnance Survey of England and Wales on the 25-inch scale; and, whether there is any chance of such Survey ever being completed?

Mr. GERARD NOEL, in reply, said, the Survey was progressing satisfactorily as far as the annual sum voted by Parliament would permit. Thirteen counties had been fully surveyed, and at the present moment the Survey was going on in the Midland district and two counties in the Eastern district. Almost the whole of Scotland had been surveyed on the 25-inch scale, and the whole of Ireland on the 6-inch scale. He was told by the Director General of Surveys that it would still take 18 years to complete the Survey.

MINES REGULATION ACT.--QUESTION.

Mr. MACDONALD asked Mr. Chancellor of the Exchequer, If, in view of the terrible loss of life in the mines of the United Kingdom, the Government contemplate taking any more active steps for seeing the Mines Regulation Act strictly enforced; or if they purpose to introduce without delay any measure containing additional precautions that may be necessary for the protection of the lives of those employed in mines?

Mr. ASSHETON CROSS: Perhaps the hon. Gentleman will allow me to answer the Question, as it more immediately concerns the Department over which I preside. I deeply regret—as I am sure everyone must—the serious loss of life which has just occurred in this dangerous employment; but no one knows better than the hon. Member himself that the loss of life has very greatly diminished since the appointment of Inspectors of Mines. He asks whether the Government contemplate taking any more active steps for seeing the Mines Regulation Act strictly enforced. I have myself within the last six weeks seen every one of the Mine Inspectors to ascertain what measures could be taken; and I am surprised that this Question should be put, because I told the hon. Member only two weeks since that a series of regulations had been framed for the purpose of guiding the Inspectors in such cases. I do not think it necessary to introduce any further measure of a more stringent character, because I believe the present Act is working great good at the present moment.

CRIMINAL LAW—CONVICT LETTER-CARRIERS.—QUESTION.

Mr. ANDERSON asked the Secretary of State for the Home Department, Whether his attention has been called to the case of a letter sorter who was sentenced, a few days ago, at the Edinburgh High Court of Justiciary, to ten years' penal servitude on his pleading guilty to the theft of two letters (one containing a gold ring and the other a half-sovereign), the Judge giving as a reason for the severity of the sentence that "a letter reaching its address might sometimes be a question of life or death, or of honour or dishonour;" whether his attention has been called to another case, that of a letter carrier, who, at the Glasgow Sheriff Court, has just been sentenced to two months' imprisonment for having kept up and thrown away twelve letters, the non-arrival of which, so far as he knew, might have been productive of equally serious consequences; and, whether he is aware that the severity of the former sentence has caused much public comment, owing to its having been a first offence, and the articles stolen being of small value, and if he will recommend the mitigation of his sentence?

MR. ASSHETON CROSS: The well-known leniency of Lord Young is such that I am sure there must have been some strong circumstances in the first case mentioned by the hon. Gentleman to have caused him to pass such a sentence. No statement has as yet reached the Home Office on the subject; but when any is received, it shall be immediately forwarded to Lord Young for his observation. With regard to the second case, it has been placed on the Paper quite recently, and I have not had the opportunity of making any inquiries regarding it.

THE EASTERN QUESTION—THE WAR —THE RUSSIANS BEFORE GALLIPOLI.

QUESTION.

SIR EARDLEY WILMOT asked Mr. Chancellor of the Exchequer, If the statement is correct that the Russians, notwithstanding the signature of Peace, are actively engaged in entrenching the lines extending across the neck of the Isthmus of Gallipoli, opposite the advanced works of the Turks?

THE CHANCELLOR OF THE EXCHEQUER: The Government have not heard anything of the Russians being engaged in entrenching the lines extending across the neck of the Isthmus of Gallipoli. According to the latest information received on the subject by the Government, the Russian outposts were on the further side of the Kavatch River, about 12 miles from Boulair, and their main body was believed to be at Kadikoi, about 12 miles from Boulair.

CRIMINAL LAW—DIRECTORS OF CRIMINAL INVESTIGATIONS.

QUESTION.

SIR EARDLEY WILMOT asked the Secretary of State for the Home Department, If it is the intention of Her Majesty's Government to appoint Directors of Criminal Investigations in other districts of England and Wales in addition to the appointment already made for the Metropolis, or whether the Government has in contemplation any other measure for the improved administration of Criminal Justice?

MR. ASSHETON CROSS, in reply, said, he hoped it might be possible that certain officers of this kind might be appointed throughout the country. What the Government proposed to do in this matter was to introduce a Bill to consolidate the law relating to coroners, and also a measure in regard to the offices to which the hon. and learned Member referred rather than to that of a county prosecutor; and it was his intention, if the House consented to those Bills being read a second time, to refer both to a Select Committee, in order that the matter might be fully discussed.

FRAUDS BY FIDUCIARY AGENTS—LEGISLATION.—QUESTION.

MR. BURT asked the Secretary of State for the Home Department, The result of his investigation of the question of frauds by fiduciary agents, the practice of solicitors receiving a part of the commission from stockbrokers, auctioneers, life-assurance offices, &c. on business introduced by them; and, whether a Bill has been drafted by the Law Advisers of the Crown to punish briber and bribed in these and similar cases; and, if so, when the Bill will be brought forward in the House.

MR. ASSHETON CROSS: I have consulted my hon. and learned Friend the Attorney General on this matter. He is of opinion—and it is the opinion of the Government—that the question of fraud by fiduciary agents is one which deserves careful consideration, and we have come to the conclusion that it would be advisable to introduce a Bill on the subject.

MOTIONS.

BREECH LOADING ORDNANCE.

RESOLUTION.

MAJOR NOLAN moved—

> "That more attention should be paid to experiments on new systems of Breech Loading Ordnance than has been given for the last three years."

He considered that this subject was eminently deserving of the consideration of Parliament, and he hoped that Ministerial responsibility would be sufficiently awakened with respect to it. One of the grounds upon which he now advocated a change from muzzle-loading to breech-loading guns, was that the opinion of the civilized world was in favour of a change. Germany, Russia, and France, were entirely in favour of breech-loading ordnance; so, also, was the Austrian Land Service and the greater portion of the Austrian Marine. Italy was at present doing what he recommended Her Majesty's Government to do—making experiments on a large scale with breech-loading guns. There was some difficulty about the case of the United States, which could not be said to have any modern ordnance. At the close of the war, they found themselves in possession of smooth-bore large guns, and had since made few new guns; but had tried to convert the old ones. Still, the Land and Naval Ordnance Departments were making experiments, and the reports were in favour of breech-loading. Of the six military nations of the world, all were in favour of breech-loading guns except Italy, which was making extensive experiments. Denmark had gone in for them largely, and had ordered 146 Krupp guns; and Holland had ordered 299. In Spain the guns of the Land Service were nearly all breech-loaders, but the guns in the Navy were muzzle-loaders. It was only such small and distant States as Chili and Peru which remained in favour of muzzle-loading. There was, in fact, in foreign countries an enormous preponderance of opinion in favour of breech-loading guns. The opinion of their own civil engineers was practically in favour of breech-loaders over muzzle-loaders. On the last occasion when he brought this subject forward, he did not refer to the opinion of naval and military authorities, but it was then said that their feeling was quiescent. But what had been the history of the formation of opinion in this country on the subject? Rifled guns were introduced practically by Sir William Armstrong in 1858 or 1859; but the guns were generally not built upon the lines which Sir William Armstrong had laid down. His system, too, unfortunately, required the lifting out of a portion of the breech, which was very heavy, and, therefore, highly objectionable, in the larger guns. Ten years ago they had bad powder, which was suited to short guns, and which somewhat inclined the balance in favour of muzzle-loaders, which had generally been short guns; but now they had better powder—perhaps the best in the world. On the introduction of breech-loading, their manufacturing power, which was one of the sources of their national strength, outstripped their scientific advance, and they made big guns before science had discovered the best way of closing the breech. Their military and naval opinion had been largely influenced by consideration for India, which it was at one time thought could make its own guns of brass after the muzzle-loading pattern. The introduction of a new class of gun involved great trouble in the changing of stores, and there was a constant tendency on the part of the new class to push out the old one. An Ordnance Committee, which was composed, among others, of some very able scientific officers, recommended that the country should make large experiments with breech-loading guns, and that it should not commit itself exclusively to muzzle-loaders; but that was at a time when other countries were still doubtful about the matter, and a few months after that the Committee was broken up. The main reason why they differed from the opinions of other countries was possibly not unconnected with the breaking up of the Ordnance Committee; and there was a feeling, to a certain extent, that it was broken up because it recommended experiments in breech-loading ordnance. They adhered to the muzzle-loading principle, also, because they adopted a system of breech-loading which could not go beyond certain limits; because their manufacturing system and prejudice operated against any change; and because India had considerable influence in their determination in the matter. There could, however, be no doubt that the breech-loaders possessed many advantages over the muzzle-loaders in regard to the facilities which the former system afforded for working the guns, and the protection which it gave to the operators. One great advantage of the breech-loading system was that the gun always filled up the hole in the wall or the embrasure; whereas, in the case of the muzzle-loader, it had to be drawn back a considerable distance each time it became necessary to charge it, so that a single rifleman at a distance of 800 yards, was able to take off the man employed in that operation. In the experiments witnessed by the Secretary of State for War at Shoeburyness, five muzzle-loaders were fired, charged by machinery, and there was no doubt that that machinery worked well; but the men working the guns on this occasion were much exposed to an enemy's fire on board fighting ships. His Motion, as the House would observe, dealt only with experiments, and he argued they had not sufficiently tried the guns which they had. Their field guns should have a full and searching trial. All the great nations which in recent years had been engaged in war, had abandoned muzzle-loading guns for breech-loading guns, and now breech-loaders were in favour with every country where this question had been put to the test. He did not intend to divide the House; but he thought the War Office ought to take some steps in the matter. The hon. and gallant Member concluded by moving his Resolution.

Motion made, and Question proposed,

"That more attention should be paid to experiments on new systems of Breech Loading Ordnance than has been given for the last three years."—(*Major Nolan.*)

GENERAL SIR GEORGE BALFOUR, in supporting the Motion, said, that at one time he was opposed to the breech-loading principle; but his opinion had undergone a considerable change. The objections he before entertained to breech-loaders were mainly attributable to the defects in the rifling, and especially to the vent-pieces. If we had attained to the present state of manufacture at the date when breech-loading was in use, he believed that the change to muzzle-loading would not have taken place. The question now was as to reverting to the breech-loading system. That was a serious matter; for he believed that £3,000,000 or £4,000,000 would not be sufficient to provide sufficient breech-loading guns for the Army and Navy. He agreed with his hon. and gallant Friend that the preponderance of opinion throughout Europe was decidedly in favour of breech-loading guns, and many officers were opposed to the change we made. The Duke of Cambridge had been opposed to the abolition of the breech-loading system, and had urged the necessity of extreme caution before they made a change to muzzle-loaders. It was no economy for England to have either guns or soldiers of a defective kind. They possessed too few men and too few guns to justify them in having inferior articles, and he strongly advocated the adoption of that system of ordnance which might be the most effective. If the Surveyor General of Ordnance could furnish the House with an assurance that qualified officers were of opinion that the advantage in recent wars was decidedly in favour of the breech-loading guns, he should feel inclined to support the Motion. Before, however, they committed the country to a very large expenditure, he thought it desirable to have the Reports on the late operations made public, and, above all, to make the experiments suggested by his hon. and gallant Friend.

SIR JOHN HAY said, the hon. and gallant Member for Galway (Major Nolan) had brought this subject forward in a very temperate manner, that offered a contrast to the warmth with which the Battle of the Guns was fought in that House some years ago. But he was not convinced by the arguments of the two hon. and gallant Gentlemen who, as Artillery officers, of course, spoke with more authority that he could upon a subject of this kind. Still, he desired to make a few remarks, as he was at the Admiralty when it was decided that the breech-loading system was not so advantageous for the Navy as the muzzle-loading system, especially in the case of large guns. If he had the slightest hope that a much better gun could be produced in consequence of the proposed experiments, he should agree with the hon. and gallant General that it would be worth while to incur any amount of expenditure; but he was by no means convinced that they did not at present possess the best guns in Europe. He believed the experiments which were being conducted in almost all the countries of Europe afforded a proof that those countries were not entirely satisfied with the breech-loading system. The question was, whether the protection to the men that was certainly secured to a greater extent by the breech-loading system was so great as to counterbalance the strength and simplicity which were attained by the muzzle-loading system. He believed no such heavy charges were known in Europe as those used in their muzzle-loading guns. By reason of the construction of those guns battering charges could now be used which infinitely increased the power of our artillery. This view was strongly confirmed by recent experiments. Up to within a few months back the 7-inch gun could not be, or was not, used as an armour-piercing weapon. Further tests showed, however, that the charge could be increased by about one-third, and by that means the gun was made available for the purpose for which it was up to that time supposed to be unfitted. There was no reason why the present system should be unsettled just now; and he hoped the authorities at the War Office would not consent to any change being made in the artillery of the country. A sufficient number of guns had already been made to arm all the ships in the Fleet and the forts' batteries on shore, and he hoped no further change would be made until the existing arrangements had been fully and fairly tested, and until this country had had sufficient time to benefit by the experience afforded by the Franco-German and Russo-Turkish Wars. Many hon. Members would remember that at the time the first change was made from muzzle-loading to breech-loading guns, a serious accident occurred on board a French ship of war. The vessel was shifting into night-quarters, and, as might easily happen in the dark, a part of the breech-loading apparatus was left out of place. The result was, that when the gun came next to be fired, the charge, instead of leaving the gun by way of the muzzle, exploded in the contrary direction and killed several men, in addition to causing much confusion on board the ship. Accidents of this kind were much to be dreaded, because they destroyed the confidence of the men, and so produced very disastrous results.

Lord EUSTACE CECIL, in reply, said, there was always a certain amount of disquiet abroad in reference to questions of this sort. There seemed to be a considerable feeling that in armaments, guns, and troops, this country was deficient; and, from the most patriotic motives in the world, individuals went about depreciating everything English—and people, thinking there was something wrong, often rushed to a very false conclusion. He was most anxious to dispel any conclusion of that kind, and to show that, after all that had been said and done by the hon. and gallant Gentleman, the matter was not quite so black as he had painted it. As the hon. and gallant Gentleman had gone somewhat fully into the whole question of muzzle-loading as against breech-loading guns, he would lightly sketch the whole history of the controversy. In a debate two or three years ago, he (Lord Eustace Cecil) stated that between 1863 and 1870 there had been two or three, if not more, Committees on the subject of breech-loading; and the Government of the day, in consequence of those inquiries, came to the conclusion that on the whole, and taking everything into consideration, the muzzle-loader was preferable to the breech-loader. As far as he had been able to examine the evidence, more particularly the valuable evidence derived from the Franco-German and the Russo-Turkish Wars, he thought that judgment had been proved to be perfectly sound. At first complaints were made against muzzle-loading guns, mainly on the ground of excessive windage; but these were removed by the adoption of gas checks, air spaces, elongated guns, and, above all, by the use of pebble prismatic gunpowder. By these inventions and improvements, muzzle-loading guns had been rendered much more efficient and serviceable than when first re-introduced in 1870. He would now state to the House at what cost the experiments which led to those calculations were made. Between 1863 and the present time they had made no less than 5,544 field and siege heavy guns, at a cost of something like £4,500,000; and, taking into consideration what was spent between 1859 and 1863, £2,500,000 more must be added. The result was that in that period those guns and the experiments cost between £6,000,000 and £7,000,000. There was no doubt that the money, if it had not produced an immediate result, had not been thrown away; but had, indeed, as the right hon. and gallant Admiral (Sir John Hay) had said, produced the best gun in the world. In 1859 the breech-loading gun was introduced into the Service. The first was the Armstrong gun, which, being the first system, was naturally the least perfect. It had been tried by the Army and Navy, and fully reported on. It had been tried in actual service in Japan, China, and elsewhere, and the result was that very serious complaints were made of the Armstrong system. The fuse did not act properly, and the vent-pieces were constantly blown out. Such a state of things was fraught with danger to the men standing by, and the result was that the system of breech-loading guns was unanimously condemned. The hon. and gallant Member (Major Nolan) said that the whole opinion of the civilized world was against them, and that there was an enormous preponderance of opinion in favour of breech-loaders; that they had only looked at one side of the question, and should think the matter over again. He (Lord Eustace Cecil) had shown what cost that would entail; and, as for the preponderance of opinion, that certainly was less enormous than had been stated. The following nations had adopted the Krupp breech-loading guns:—The Russians, the Germans, the Austrians; the Belgians partially the breech-loading, and partially the heavy muzzle-loading; the French had adopted a system of their own; the Italians had adopted a system of breech-loading for their field artillery and heavy muzzle-loading for their big guns; and the Swedes and some other minor Powers had adopted muzzle-loaders. The United States still held to muzzle-loaders, both for field and heavy guns. So that out of these eight Powers, four were breech-loaders, two half breech-loaders and half muzzle-loaders, and two muzzle-loaders. The hon. and gallant Member was also wrong in supposing that no trial of breech-loading as against muzzle-loading guns had been made in this country. Previous to the Motion being put upon the Paper, there was a trial of a field muzzle-loader and field breech-loader of exact weight and size at Shoeburyness; and the result was that in range, accuracy, and rapidity of fire they were precisely alike. Durability was an important condition in guns; but the relative merits of the breech-loading and the muzzle-loading system in this respect had not yet been satisfactorily ascertained. As far as the evidence went, the advantage appeared to be in favour of the muzzle-loader. It appeared that in the Franco-German War the number of breech-loading Krupp guns rendered unserviceable amounted to 210, and almost every year two or three of these guns became unserviceable, and occasionally burst and caused loss of life. That was a large number, considering that the war only lasted from July to the February following. Further testimony against the breech-loader was furnished by the recent Russo-Turkish War. One of the officers sent out by the War Office, by the advice of the Director of Artillery, to the seat of war for the purposes of observation, reported that the Krupp guns used by the Turks had to be sponged out with soap and water after each round or they would soon have become unserviceable, and that the usual rate of firing was once in five minutes, or in an emergency once in three. The Turkish artillerymen were less active than the English, no doubt; but, after all allowance was made, one round in five minutes was certainly not rapid firing, considering that the guns of the *Devastation* could be fired once a minute. The sights and gear of the Turkish guns, moreover, often got deranged; and, though Turkish gunners were no doubt less careful than English, the circumstance remained as one which told against the breech-loading system. On the whole, he did not gather from the reports of the officers in question that the Krupp breech-loaders had been remarkable for their endurance. As official opinion had been sneered at —very unjustly he thought—as being "made to order," he would here cite the opinion of Captain Noble, an outsider, whose authority to speak on this question everybody would recognize, and who had been a consistent advocate of the breech-loading system. Now Captain Noble, in a Minute which was dated the 29th of April, 1875, gave up the whole question in favour of the muzzle-loading guns except in very limited cases, and that was the gist of the matter; for there were, no doubt, some cases in which breech-loading guns would be more appropriate. The present Director of Artillery, he might add, had most beneficially utilized some of the breech-loading Armstrongs in store; so that, in point of fact, they could have the advantage, supposing there were anything like an invasion—which he hoped would never occur—of seeing the difference between a breech-loader and a muzzle-loader. But, with certain exceptions, to which he had referred, he did not believe they would have any necessity to adopt the breech-loader in either their Land or Sea Service. He had got, besides those which he had already, the opinion of an Austrian colonel, and of an Italian Minister of Marine, dated 1875, in favour of the muzzle-loading system. As matters now stood, we had a very good gun, and he did not see why we should change it unless a much better was produced. Such a breech-loading gun might be in embryo; but it had not, so far as he was aware, got beyond that stage. We had heard accounts of the Martini-Henry rifle during the late war in Turkey; and though the weapon supplied to the Turkish Army was very inferior in make and in the way in which it was turned, to that with which our troops were armed, no soldier, he thought, in that House or out of it, would be disposed to deny that the brilliant victories which the Turks could boast of having won at the beginning of the war in Armenia or the gallant defence of Plevna, would hardly have been achieved without the aid of the Peabody Martini-Henry rifle. He believed our muzzle-loading guns would come as well out of the trial, should there be occasion —which God forbid!—to test it in that way. Some time ago, he might add, had it not been for the very onerous conditions which the Messrs. Krupp proposed, we should, he believed, have had the satisfaction of obtaining one of their guns for the purpose of testing it. They offered to lend the English Government a gun for a sum of £15,000, and stated that if it proved successful they should expect that £2,000,000 worth of these guns would be ordered. Well, these were conditions to which it was found impossible to accede, and so the matter remained. The Government had, however, never shrunk from making the experiment, and they would be very glad, indeed, to have the opportunity of giving one of the Messrs. Krupp's guns a fair trial. His right hon. Friend the Secretary of State for War, as well as the Admiralty, had always taken a great interest in the subject. They were perfectly aware that there must come changes in guns, and that we would have new inventions. That being so, when they saw that a certain stage of progress had been arrived at in which the necessity of a change pressed itself upon their attention, he had no doubt they would have no hesitation in expending the money which would be required for the purpose.

Motion, by leave, *withdrawn*.

Lord Eustace Cecil

MR. GLADSTONE AND MR. LAYARD—THE NEGROPONTE CORRESPONDENCE.

RESOLUTION.

Mr. **EVELYN ASHLEY** rose to call attention to the Correspondence between Her Majesty's Ambassador at Constantinople and the Foreign Office, relating to certain statements which had been made as to communications which had passed between the Right honourable the Member for Greenwich and a M. Negroponte; and to move—

> "That this House, having had before it the Correspondence between Her Majesty's Ambassador at Constantinople and the Foreign Office, relating to certain charges which had been made against the Right honourable the Member for Greenwich, based on his Letters to a M. Negroponte, views with regret the part taken in the matter by Her Majesty's Ambassador."

The hon. Gentleman said, he was not presenting himself to the House as the champion or the advocate of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone). It would be great presumption in him to assume such a part; for as long as that right hon. Gentleman lived, he would want no advocate and need call no witness save his own high character and splendid reputation. He (Mr. Ashley) had been honoured with the right hon. Gentleman's friendship, and, as far as such considerations were concerned, he might also add that for nearly 20 years he had had the acquaintance of Mr. Layard. But it was not on the score of personal reasons that he had brought the matter forward; but on far higher grounds—as it involved questions, in fact, of great interest to their future public life. He had brought forward the question without any consultation with, or suggestion from, the right hon. Gentleman the Member for Greenwich. He had no special or private means of information; but the sources from which he obtained his knowledge were those open to everyone—namely, the official Correspondence laid on the Table, and the columns of the London newspapers. He desired, also, to draw special attention to the fact that everything that would be laid to the charge of the Ambassador at Constantinople had been told by himself; so that while no doubt could be entertained of its truth, they would also have the satisfaction of knowing that it had probably been presented in the most favourable light. He hoped the House would excuse him if he begged them not to be led away from the subject under discussion. The matter, in his opinion, lay in a nutshell; and, in lawyers' language, he might say he did not intend to travel out of the record, or to be enticed into paths and thickets which they might have on another occasion to explore; but with which, at present, they had nothing whatever to do. The affair they had to deal with was very compact; but it was not for that reason the less important in principle. What was involved was whether, in future, a public servant in high place was to be at liberty to use all the advantages and power of his position to crush, or attempt to crush, any man whom he might think was an obstacle to his policy? He said if that principle was once recognized or passed over without notice, then they would be in danger of rapidly degenerating into that tyranny of officialism which was so disastrously rampant in France a few months ago. Again, if they were to be allowed to use all the means in their power to discredit their opponents, then he said their public life in this country would become a mere political stock exchange, where they would be divided into bulls and bears, engaged by telegrams, by *communiqués*, by whispers, in raising their own stock, and depreciating the stock of their rivals. He was bringing before the House the conduct, not of Mr. Layard, but of the Ambassador at Constantinople. Nor did he call attention to the matter on account of the position of the right hon. Gentleman the Member for Greenwich; he would have done the same if anyone else had been similarly treated; but, at the same time, it would be affectation for him to conceal his opinion that the great services of the right hon. Gentleman to his country, and his former relations with the Ambassador, did undoubtedly give a deeper hue to the treatment he had received. He hoped the House would allow him to read a few extracts from the Correspondence; and hon. Members must remember that every one of those documents was before the Ambassador at Constantinople at the time when he wrote his despatch at the end of October; so that he had full opportuuity for forming a judgment as to the truth of the statements and as to the propriety of the course which he ought to have adopted. The first letter was one from the right hon. Gentleman to M. Negroponte, dated January 9, 1877. The date was important, because this was the letter on which the whole controversy hinged. At this time the Conference was sitting, and every reasonable man had full expectation and hope that the unanimous decision of Europe would be accepted by Turkey, and that war would not take place. The right hon. Gentleman on that date wrote as follows:—

"Hawarden Castle, January 9, 1877.

"For me the question of the East is not a question of Christianity against Islamism. It is, however, a question of the Christians against the Porte and the governing Ottomans; because all the grievances of the Mussulman and Jewish subjects—and such, without doubt, there are—ought to disappear in the act of applying an efficacious and well-considered remedy to the grievances of the Christians, who form the mass of the oppressed.

"I do not, then, recognize any plurality of causes; for me the cause is one only, and I cannot commend either Greeks, who refuse their moral support (*concours moral*) to the Slavs, or Slavs who refuse it to the Greeks.

"That efficacious remedy I find in the development of the local liberties of all such Provinces as are proved to be suffering, in order to put an end to evils which have made the world shudder, to arrest the selfish intrigues (if such exist) of any Power whatever, and to afford to Turkey the means, or at least the possibility, of a repose that she will never obtain under the actual conditions, nor under what is called her Constitution.

"The equitable delimitation of Slav and Hellenic Provinces is a question difficult and grave enough; but it is also an ulterior question such as cannot, in my opinion, be adjusted in a satisfactory manner unless when Greek and Slav alike shall have imparted to one another, on the basis of a plan of local liberties, the reciprocal sympathy which will be alike generous and wise."

That letter, he had forgotten to say, was written in reply to one from M. Negroponte. Now, there was nothing incendiary in this letter. Anybody who had given any thought to this Eastern Question, would readily appreciate what were the dissensions referred to which had tended to keep back the Christian populations from the attainment of comparative freedom and power. M. Negroponte wrote again, and the answer of the right hon. Gentleman to his second letter ran thus—

"Hawarden, Chester, July 21, 1877.

"In answer to your letter of the 29th of May, I beg to assure you, in the first place, that my own conduct in the future, if it be a

> matter of interest to anyone, may be with tolerable certainty anticipated and prefigured from what it has been in the past. And, in the second place, it was and is far from my intention to pronounce upon the merits of the controversy between Greek and Slav. I sought only to insist upon the policy and duty of treating the Christian cause as one in the face of the Ottoman power and influence, and of adjourning to a future juncture the settlement of the inter-Christian controversies. It has not been thought right to act upon this principle, but upon the opposite one—thought right, I mean, among the Hellenes of the Empire. Events seem to me to be rapidly supplying materials for a judgment on the question whether the policy thus pursued has been a wise one. It certainly has not raised up, at least in this country, one solitary friend to the Hellenic cause. I hope it is not too late to change."

That was the entire Correspondence which passed between the right hon. Gentleman and M. Negroponte. They must now leave England and proceed to Constantinople. What did they find there, by the account given by Mr. Layard himself? They found that M. Negroponte had said to the Ambassador some time in August that the right hon. Gentleman (Mr. Gladstone) had been writing, inciting the Greeks to rise against the Turks; and that the right hon. Gentleman's second letter was taken to the Ambassador on the 20th of August by a gentleman who was correspondent of *The Times*. The Ambassador, according to his own statement, was shown the letter, but told he must not have a copy of it; and thereupon he sent at once for a member of the Embassy, and proceeded to impart to him a verbal account of the contents of the letter, and to send that verbal account to the correspondent of what?—of *The Daily Telegraph*. Now, he asked why did our Ambassador at Constantinople select *The Daily Telegraph* as the medium of communication? He did not flinch from saying that it must have been notorious to him, as to everybody in this country, that for some time past that newspaper had become a public scandal. He would go further, and say, a public danger, in moments of excitement. For what? Not for the opinions which it held—for it was welcome to them—but for the total untrustworthiness of its statements and for the recklessness of its assertions. It could hardly be—and he would not impute such a thing to the Ambassador—yet it was singular for the Ambassador to select a newspaper which, like the savages they had heard of, who burnt what they formerly adored, had undoubtedly shown itself most ready to roast that idol when in the desert, which it had formerly worshipped when it stood in high places. It was a coincidence; but it was remarkable that the Ambassador should at once have sent through a member of the Embassy—a most unjustifiable thing—an account of that letter to the correspondent of such a newspaper as *The Daily Telegraph*. He (Mr. Ashley) could not, of course, state what the exact tenor of the message to the paper might have been; the statement of the Ambassador was that it was only a communication of the contents of the letter. But, surely by its fruits they must know it, and they could only judge of the tenor of the message by the effect it produced. He would ask the particular attention of hon. Members to the words of the telegram which was consequently sent by the correspondent of *The Daily Telegraph*. It was dated August 27, 1877, and was printed in the issue of the next day—

Mr. Evelyn Ashley

> "(From our Special Correspondent, Pera.)
>
> "Important papers have just been made known showing that Mr. Gladstone has been trying to stir up the Greeks against Turkey. About two months ago Mr. Gladstone wrote a letter to a Greek merchant in Constantinople urging that the countrymen of the latter should unite with the Slavs in an attack upon the Turks. M. Negroponte replied to the effect that the interests of the Greeks were altogether different from those of the Slavs, that the best policy of Greece was rather to fight the Russians than the Turks, and that Greece, if she were wise, would remain tranquil. Mr. Gladstone, in answer to this, wrote a second letter, very curtly worded, saying that he had given his opinion and was astonished to find the Christians of the East so disinclined to make common cause against the Mussulmans. He again urged the Greeks to attack the Turks. M. Negroponte, in reply, stated that Mr. Gladstone's was not good advice, and there the correspondence at present rests."

They all knew the sensation which the telegram made in the country, and the use which was made of it; the way in which all who had in any way shared the opinions of the right hon. Gentleman had this thrown into their teeth, and how it was looked upon as a tremendous triumph to the Ottoman Party that such an accusation should have been made against him in the "largest circulation in the world." Well, the right hon. Gentleman at once wrote, stating that it was to him a most startling telegram, and calling for documents; but no notice was taken of the matter, and the next man who appeared on the scene was M. Negroponte, who wrote to *The Times* as follows, referring to that telegram:—

> "On the 27th of August there was published a despatch from Constantinople, of which I only received cognizance yesterday. What I most emphatically deny is that the contents of the letters interchanged were at all of the nature attributed to them by your contemporary, or that Mr. Gladstone ever, by letter or action, within my knowledge, encouraged the Greeks against the Turks, or advised a Slavo-Greek alliance; or, further, that I ever expressed an opinion in opposition to any views on his part. Consequently I have no hesitation in declaring the statement wholly unfounded and an unworthy perversion of the truth by certain persons intriguing here to damage the political reputation of Mr. Gladstone, and who, not having the courage to meet their adversaries in fair fight, are obliged to have recourse to underhand methods."

Now, it suited some people to say that M. Negroponte was a liar; but he, for his part, believed that M. Negroponte was, on this occasion, telling the truth. M. Negroponte went on to say—

> "Out of delicacy I will not mention the name of the person from whom undoubtedly proceeded the information which gave rise to the despatch to your contemporary and the perversion of the contents of the letter in question. . . . I leave it, however, to public opinion in England to form a judgment as to how far this may be considered honourable conduct on the part of a person of consequence.
>
> "M. J. NEGROPONTE.
>
> "Constantinople, Sept. 7."

That letter was published in *The Times* on the 15th of September, 1877; but it drew no notice, any more than the other documents, no retractation, apology, or explanation from their Ambassador at Constantinople, who knew that, wittingly or unwittingly, he had started the ball rolling. Perhaps the Ambassador thought, in regard to M. Negroponte, of the words "*Græculus esuriens in cœlum jusseris ibit;*" that nobody in England would pay any attention to the contradiction of a mere Greekling; that the story which had been set afloat would run its course and do its work, and that it was not his business to step forward and stop it. But at last the right hon. Member for Greenwich, having, after some search in London, obtained the original letter in question, himself wrote to the newspapers. The right hon. Gentleman inserted at full length his letter to M. Negroponte, which he (Mr. Ashley) had just read to the House, and made these comments—

> "It is, however, plain that he (the Special Correspondent of *The Daily Telegraph*) has been no more than a dupe in the business. There is some Polonius behind the curtain, and I call upon him to come out. From the letter of M. Negroponte it might be inferred that he is a person of importance. Be he who he may, let him come out. An accusation has been made and believed, and has fluttered all the diplomatic body. I am justified in now saying, from the evidence before us, it is a false accusation. I ask your correspondent, if he can do it honourably, forthwith to name his informant. If he cannot, I ask the informant, in vindication of his own honour, to name himself."

Before he went to the conduct and language of the Ambassador when that reached his ears, he would quote to the House the editorial article of *The Daily Telegraph* on that letter of the right hon. Gentleman—not because they had anything to do with *The Daily Telegraph*, or *The Daily Telegraph* with them—but because he wished to call attention to the extraordinary *solidarité*, if he might use the phrase, between the way in which *The Daily Telegraph* dealt with the right hon. Gentleman's explanation and remonstrance, and the way in which the Ambassador dealt with them. Instead of taking a warning by the behaviour of the newspaper, and feeling that it was such grossly unfair conduct that he was all the more bound in honour to come forward and set matters right, the Ambassador, on the contrary, closely imitated the language of the newspaper itself. The paragraph in the journal ran as follows:—

> "The statement which our Correspondent made was avowedly based on the description given by several distinguished persons who had seen the Negroponte letters. That specimen which Mr. Gladstone has been good enough to send us is but one of the series;"

—thus thrusting aside the assertion of the right hon. Gentleman that there were only two. The leader went on to say that—

> "To substantiate the full meaning of the Correspondence, it was necessary for our representative to do one of two things—either to obtain a complete file from M. Negroponte, or to transfer to diplomatic authorities all responsibility by naming them. He cannot do the first, because M. Negroponte withholds the originals, while Mr. Gladstone possesses no copies of the other communications."

This was a gratuitous assertion, as there was no statement on M. Negroponte's part that he withheld other originals; on the contrary, he said that there were only two letters—

> "Our Correspondent cannot do the second because those who have seen the Correspondence, and spoken of its purport, now place under the seal of confidence what they had stated to him."

All this was before the Ambassador when he wrote his despatch of the 29th October. Then *The Daily Telegraph* went on—

> "Our Correspondent withdraws the statement which circumstances oblige him to leave unproven by documents. Failing a direction from Mr. Gladstone himself to M. Negroponte for the publication of the entire Correspondence, this appears to him the sole and proper course to take. . . . We avoid prolonging the discussion or diminishing the completeness of that satisfaction which, under the peculiar aspects of the affair, Mr. Gladstone has a technical right to ask. We therefore leave the subject to public judgment, with these frank explanations."

He left to the judgment of the House what degree of frankness there was in these explanations; but would again call attention to the fact that the correspondent of this paper was in close communication with the Ambassador at Constantinople, and that the action of the two was precisely alike. Now he came to the despatch. The Ambassador, after that appeal of the right hon. Member for Greenwich had reached him, took some time to consider; but at last he came forward on the 29th of October. The despatch was before the House. He would not now read it, because that was unnecessary, the document having been long before the House. He would simply draw attention to this—that the Ambassador, instead of meeting the matter in a frank way, and either saying that he had made a mistake and given a wrong account, or that he was the author of a gross misrepresentation which he deeply regretted, and which, as far as he was concerned, he absolutely retracted, dealt with it in the most diffuse manner; so that, having read that despatch many times, he (Mr. Ashley) was not perfectly clear as to the defence which the Ambassador wanted to set up. Now, the Ambassador had three persons to get rid of—first, the correspondent of *The Daily Telegraph*, who had compromised him; next, M. Negroponte, who had directly charged him; and then, the right hon. Member for Greenwich, who had sent him an appeal, and protested against the statements in the published telegram. He got rid of *The Daily Telegraph* in a most extraordinary manner. He would not use strong language, or he might call it disingenuous; but it was entirely contrary to the fact, no doubt from carelessness on the part of the Ambassador. The Ambassador said—

> "I mentioned the contents of the letter to a gentleman connected with the Embassy, adding that if he saw the correspondent of *The Daily Telegraph* he could mention it to him. He did not do so; but a third person, to whom he spoke on the subject, did inform the correspondent of the latter on the following day. The correspondent took time to inquire into the matter, and having satisfied himself that a correspondence was going on between Mr. Gladstone and M. Negroponte, and that the Greeks were under the impression that Mr. Gladstone had been stirring them up to unite with the Slavs to attack the Turks, he telegraphed to that effect on Monday the 27th August, and his telegram was published on the following day."—[*Turkey*. No. 10 (1878), p. 2.]

Now, the correspondent of *The Daily Telegraph* did not confine his communication to the fact that there had been a Correspondence going on between the right hon. Gentleman and M. Negroponte, and that the Greeks were under the impression referred to; but he sent to his newspaper—and for this the Ambassador must be held responsible—a telegram distinctly charging the right hon. Gentleman with having incited the Greeks to rise against the Turks, and stating, moreover, that documents could be produced which would prove that charge. The Ambassador did not seem to have been unwilling to take M. Negroponte's word when charges were being brought against the right hon. Gemtleman; but, subsequently, he said that M. Negroponte's word was not to be trusted. Well, taking it for the sake of the argument that M. Negroponte was not to be trusted, he held that the Ambassador was perfectly incapable of being accurate. He charged M. Negroponte with saying that one of the two persons to whom he showed the letter was a person of consequence, to whom he imputed the origin of the mischief, and he gave his denial to that fact. But M. Negroponte had said he showed the letter only to two persons, neither of whom caused the mischief; but that it was caused by a totally different person. The Ambassador went on to say that M.

Negroponte offered to telegraph to *The Times* that neither of the two persons to whom he alluded was in any way connected with the British Embassy, and that the only reason why this was not done was that he—the Ambassador—did not consent, wishing, out of regard for some of M. Negroponte's relations, to spare him from adding another falsehood to those of which he had already been guilty. He (Mr. Ashley) did not see that there was any untruth in that statement; but if there was, it was a curious reason to give as the only one for withdrawing it—namely, the accidental friendship of the Ambassador with some of M. Negroponte's relations. But all this showed how difficult it was to get at anything substantial or straightforward. Now, coming to the really important part of the despatch, how did the Ambassador get rid of the right hon. Gentleman the Member for Greenwich? He virtually charged the right hon. Gentleman with two new offences. He charged him with suppressing other letters that had passed between him and M. Negroponte, and a letter received from *The Times* correspondent which would have thrown great light on the matter. He says—

> "I am aware that M. Negroponte has transmitted to Mr. Gladstone either the originals or copies of all the correspondence, but he has not thought fit to publish them. Moreover, I have the authority of *The Times* correspondent to say that he sent Mr. Gladstone a letter for publication in that journal, which would have disproved the statements made by M. Negroponte in his letter to *The Times.* Mr. Gladstone has not thought proper to publish this letter."—[*Ibid.*]

He had very little more to say, and he wished to deal with the remainder of the Correspondence very shortly. He would merely draw attention to the extremely moderate language of the right hon. Gentleman in his letter of November 20, in which he denied the possession of these letters which he was accused of suppressing; but gives every loophole to the Ambassador to withdraw from the position which he had assumed. The whole of December passed, the early part of January passed, and the Ambassador took no notice whatever of the right hon. Gentleman; but treated him with perfect and entire contempt. At last the Foreign Office, instigated by the right hon. Gentleman, sent a telegram to the Ambassador on the 16th of January, 1878, saying—

> "Are you preparing any answer to my despatch of 22nd November last, enclosing a copy of a letter from Mr. Gladstone relative to the Negroponte Correspondence; and, if so, when may it be expected?"

The next day he telegraphed, in reply, merely this—

> "With reference to your telegram of yesterday, I have not thought it necessary to continue the controversy with Mr. Gladstone."—[*Ibid.* p. 5.]

He thought comment on that was superfluous. But the Ambassador seemed to appeal to public opinion, and said he was quite willing that the Correspondence should be published. Well, that was the reason why he (Mr. Ashley) had thought it his duty to bring this matter before the House. There had been a distinct appeal to public opinion and to the opinion of that House upon the Papers on the Table. He was not blaming the Foreign Office; but he must draw the attention of the House to this—that no censure was expressed by it on the conduct of the Ambassador, and no objection to the attitude he assumed. He (Mr. Ashley) said that made it imperative on the House to express an opinion on the matter. He thought it was a very bad novelty that an Ambassador should use his position and influence to attack a Party Leader at home. An Ambassador should at all times be entirely free from Party. He could not help thinking that in days gone by, however fierce were the disputes, how differently a thing of this sort would have been met. He was the other day reading a *Life of Edmund Burke*, and he came across a very striking passage, the applicability of which to the question now before the House he would point out after he had read the extract. The biographer of Edmund Burke was talking about the time of the American War. Burke was in the minority, and opposed it. The biographer said—

> "Those who could not refute the arguments of a Burke were at no loss for opprobrious names. They styled the supporters of liberty and the enemies of war Yankees, Republicans, Cromwellians, and Levellers. Burke was peculiarly obnoxious because he had been the longest, most constant, and persevering opposer of American taxation. The common talk among courtiers and their dependents in town, the

nobility and their retainers in the country, was that the Rebellion was owing to the Opposition Leaders. Burke, however, was not moved by the attacks of servility and selfishness, nor by the frivolous defamation of ignorance and folly."

They knew that Edmund Burke was hooted by a London mob; but they had not read—he (Mr. Ashley) had not read—that he was ever pelted behind his back at the same time by an Ambassador. But he felt perfectly certain of this—that if Burke had been so attacked by an Ambassador, our forefathers in that House would not have shrunk from protecting him. He hoped that, on this occasion, they would not prove degenerate sons of those who had preceded them. He thought the Resolution he had put before the House was very moderate in its terms. He was sure the House could not say that he had used exaggerated language. He had merely said this—that the House, having had laid before it the Correspondence, and, therefore, having had the matter brought under its cognizance, viewed with regret the part taken by Her Majesty's Ambassador. He did not, under the circumstances, ask the House to express more than that; less than that they would not be justified in assenting to, if they valued and wished to maintain the old traditions of British statesmanship, British truth, and British fair play. As to the despatch from Mr. Layard, which at 5 o'clock that afternoon hon. Members had had placed in their hands, it was received at the Foreign Office on the 1st of March—that was to say, over 10 days ago. But he was not going to find fault with the Foreign Office. He supposed the reason why it was not laid on the Table before was this—that the Foreign Office saw at once that that despatch made matters much worse; and they very rightly and properly said—"If the hon. Member for Poole is not going on with his Motion, we may as well, for the sake of the Ambassador, keep the despatch back." It was only on Friday he put down the terms of his Motion, and then the Foreign Office thought it necessary to lay the despatch on the Table of the House. He had read the despatch hastily; but he saw clearly that it was as an apology not worth the paper on which it was written. It was dated February 19, and, at the time it was written, the Ambassador must have known that the matter was going to be brought before the House; but the only regret he expressed was this—

"If he mentioned to a gentleman connected with the Embassy that he might tell the correspondent of *The Daily Telegraph*, as a piece of news, that there was a letter from Mr. Gladstone to M. Negroponte, then in the hands of another newspaper correspondent, he expressed regret for that."—[*Turkey*, No. 18 (1878), p. 1.]

But the Ambassador had owned in his former despatch that he went further than that, and that he communicated the contents of that letter. He (Mr. Ashley) had conscientiously come to the conclusion that this last despatch, in its general tenor and tone, instead of making matters better, made them infinitely worse. When a man in the position of Her Majesty's Ambassador had, wittingly or unwittingly, by force of will or unintentionally, been reputed to be the cause of so gross a piece of injustice as that which had been circulated throughout England of a man in the position of the right hon. Member for Greenwich, he had only two courses open to him—one to say that the accusation which had been brought against that right hon. Gentleman was perfectly true, and that he would substantiate it; and the other to say in a few simple, straightforward words—"I do not believe that I was the cause of its being brought; but if I was, I not only desire to retract it, amply, fully, and freely, but I desire to express my unbounded regret that by my communication with persons connected with *The Daily Telegraph* this telegram should have been sent." But, instead of that, they had had a couple of despatches, which were both confused and aggressive, and entirely unsatisfactory, and which confirmed him in his opinion that it was the duty of the House to affirm its regret at the part taken by the British Ambassador in the propagation of this scandal. The hon. Gentleman concluded by moving his Resolution.

Motion made, and Question proposed,

"That this House, having had laid before it the Correspondence between Her Majesty's Ambassador at Constantinople and the Foreign Office, relating to certain charges which had been made against the Right honourable the Member for Greenwich, based on his Letters to a M. Negroponte, views with regret the part taken in the matter by Her Majesty's Ambassador."—(*Mr. Evelyn Ashley.*)

MR. BOURKE: Before I venture to examine the case opened to the House by the hon. and learned Member for Poole, I wish to explain why the Paper he last alluded to was not in the hands of hon. Members this morning. It was printed yesterday, and when I left the Foreign Office directions were given that the printer should place it in the hands of hon. Members this morning. I need scarcely explain that it is not always in the power of a Department to have its Papers placed in the hands of hon. Members exactly at the time it should wish; because once the Papers have passed from the Department to the printer, the business of the Foreign Office is concluded with respect to them. I had several copies in the House last night, and I gave them to those hon. Members I thought likely to be interested in the question. It has been the wish of the Foreign Office to produce all these Papers as soon as possible, and there is not the slightest foundation for the surmise made by the hon. and learned Gentleman (Mr. Ashley) that it was the desire of the Foreign Office to keep them back. We had no object either one way or the other. Our only desire was that the matter might be fully before the House. The House, I am sure, will quite agree with me when I say that this is a Vote of Censure upon Mr. Layard of a very aggravated and severe character; and, although the hon. and learned Gentleman seems to think that he has couched his Motion in very mild terms, at the same time I cannot but think that nothing could be more injurious to one of our Ambassadors than that the House of Commons should come to the conclusion that it read with regret certain despatches which he had written. [*Opposition cheers.*] I perceive that hon. Gentlemen opposite accept this view. A Vote of Censure, I need not remind the House, is to a public servant a very grave matter. I conceive it ought not to be brought forward, or, at any rate, it ought not to be agreed to by this House, without the deepest consideration. And I cannot help expressing my belief that if the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), judging from his Correspondence, had been asked whether, in his opinion, Mr. Layard ought to have a Vote of Censure passed upon him by this House, he would, taking all the circumstances into consideration, have differed from the hon. and learned Member for Poole. I daresay a considerable number of hon. Gentlemen have read these Papers, but I am greatly afraid that there are many who have not, and they would necessarily be placed at a disadvantage; because, although the hon. and learned Member for Poole has, no doubt, read a certain portion of the Papers, at the same time it was impossible for him to read the whole of them, and he gave, naturally enough, what was his own view of the case. But I must say I come to a totally different conclusion with regard to the interpretation to be put upon these despatches. I shall state at once what is Mr. Layard's defence of his conduct in the whole of this conflict. It may be stated in one single sentence, and that is that he is in no way responsible for the telegram that was sent by the correspondent of *The Daily Telegraph.* That is the beginning and end of all this conflict; and although the hon. and learned Member tried to fasten on Mr. Layard, by means of statements of his own, a certain connection with the correspondent of *The Daily Telegraph*, his assertions came to nothing but this—that Mr. Layard and every other Ambassador of every other country represented at Constantinople, are on terms of friendly communication not only with the correspondent of *The Daily Telegraph* there, but with the correspondent of every other newspaper in London and of other capitals who are there. A great portion of the hon. and learned Member's speech was taken up with an attack not upon Mr. Layard or Her Majesty's Government, but with an attack upon *The Daily Telegraph.* Well, Sir, I have heard these attacks before in this House; but I will not follow the example of the hon. and learned Gentleman, who certainly seemed to me to introduce that branch of the subject merely for the purpose of prejudice; because it has nothing in the world to do with the question before us. I will avoid the example he has set of introducing topics of an irritating character connected with the Press; because I believe that if the House will calmly look at this matter from the point of view in which I hope to present it, they will come to the conclusion that there is no cause whatever for censuring the course taken by Mr. Layard. At the risk of wearying the House, I will recur to the facts of the case. They will be found upon the first page of the first series of Papers. It will there be seen that M. Negroponte, in August, called upon Mr. Layard. In some conversation with Mr. Layard, he mentioned that the right hon. Gentleman the Member for Greenwich, in a correspondence with him, was endeavouring to persuade him that the time was come for a general rising of the Greek population, and that they should unite with the Slavs to throw off the Turkish yoke. M. Negroponte did not show Mr. Layard the letter, neither did he mention its date, but he stated what was his opinion. Now, it is quite clear that at the time M. Negroponte made that statement he gave Mr. Layard a totally erroneous view of the letter he had received from the right hon. Gentleman. If that is the case, it is perfectly clear that M. Negroponte was the fountain and origin of what was believed in Constantinople on the subject, and that he was asserting all over the town that he was in correspondence with the right hon. Gentleman the Member for Greenwich, and that from that correspondence, it was his opinion that the writer (Mr. Gladstone) thought the time was come for the Greeks to unite with the Slavs to throw off the Turkish yoke. That was in August. On the 20th of that month, at an assembly at the Ambassador's house, a letter was shown, not by M. Negroponte, but by the correspondent of *The Times*, to Mr. Layard. Now, the hon. and learned Member gave the House, I think, to understand that the whole of this controversy arose upon the first letter of the right hon. Gentleman (Mr. Gladstone). The first letter had nothing to do with the subsequent controversy, because at this time the Ambassador knew nothing about it, except what M. Negroponte had told him. *The Times* correspondent showed the letter to our Ambassador—that is, the second letter—but would not allow him to copy it. Thus the whole of the controversy arose on the second letter, not on the first letter, as the House would understand from the statement of the hon. and learned Mover of this Motion. Now, I do not want to raise any controversy as to what might be the interpretation of the second letter. I wish to confine my remarks within the despatches that are now before the House. I see before me the chance of a very long debate if any question on the second letter is raised; and I do not think that anyone on either side of the House will say that it has anything to do with the controversy. The whole question turns on whether the responsibility for the sending of this telegram to *The Daily Telegraph* ought to be thrown on Mr. Layard. After Mr. Layard had been shown this second letter of the right hon. Gentleman by the correspondent of *The Times*, he mentioned its contents to a gentleman connected with the Embassy. The hon. and learned Gentleman said Mr. Layard sent for this gentleman on the subject. He did not; he merely mentioned it casually. [Mr. EVELYN ASHLEY: I said he sent an *attaché* to him.] Well, he did nothing of the kind. He mentioned casually to a third person—If you see the correspondent of *The Daily Telegraph*, mention it to him. I do not wish for one moment to conceal or misrepresent anything. The facts are perfectly clear. The hon. and learned Member made a great deal of the word "contents," and he assumed—and this is the gist of the whole charge—that Mr. Layard, in mentioning the "contents" of the letter, mentioned, in fact, the telegram in *The Daily Telegraph*. If he did not assume that, there is no evidence, for the "contents," so far as Mr. Layard described them, were perfectly innocent. More than that, he acquitted the right hon. Gentleman (Mr. Gladstone) on the spot of having said anything approaching what was stated in the telegram in *The Daily Telegraph*—

> "As far as I can recollect its substance from a very hasty perusal of it, it was to the effect that as M. Negroponte was not inclined to take his (Mr. Gladstone's) advice that the Greeks should throw their lot in with the Slavs, he had none other to give."—[*Turkey*, No. 10 (1878), p. 1.]

That was Mr. Layard's notion of the contents of the letter. What does the whole of the charge come to? You cannot carry it forward, and you cannot connect the statement with the telegram in *The Daily Telegraph*. I defy you by any means, or or in any way, to connect the statement with the telegram. For what did Mr. Layard say? These are his words—

> "I remember observing to the person who showed it to me that although there was not

much in the letter, it might be very mischievous when in such hands, and that it appeared to me that Mr. Gladstone did not understand the true feelings of the two races, which would rather fight than unite."—[*Ibid.* p. 2.]

Here is a statement of Mr. Layard at the very time when, according to the hon. and learned Member, he was concocting some tremendous charge against the right hon. Gentleman the Member for Greenwich; and Mr. Layard tells everybody around him that he did not consider there was much in the letter, but that in the hands of M. Negroponte it might be used for a very bad purpose. It was quite clear what was running in Mr. Layard's mind. It was this—that, notwithstanding the knowledge and learning of the right hon. Gentleman, he had mistaken the feelings of the two races of Christians in the East. That was the point of the whole of Mr. Layard's observations. What is to be found in the Paper out this evening? I need not defend Mr. Layard on this subject, for he has defended himself. He says—

"When Mr. Gladstone wrote that I 'made, or caused to be made, anonymously and irresponsibly, through correspondents of newspapers, serious and injurious charges' against him, or anyone else, he surely could not have been aware of the facts. All that I have to answer for is that I may, perhaps indiscreetly, have called the attention of a newspaper correspondent to a letter which was already public property. If Mr. Gladstone thinks that I have done him an injustice by doing so, I am quite willing to express my regret to him for it."—[*Turkey*, No. 18 (1878), p. i.]

When the hon. and learned Member says there is not one word expressing regret in the Correspondence——

MR. EVELYN ASHLEY: I said the only expression of regret was for having mentioned the fact of the existence of the letter, and not for having communicated the contents.

MR. BOURKE: There is Mr. Layard's whole account of it, and it is not for me to say whether it is discreet or indiscreet. He says himself, "indiscreetly." How can anybody say, after making use of the sentence which I have quoted, that they can read these despatches with regret. Mr. Layard makes as much an *amende* to the right hon. Gentleman as he possibly can. I think I ought not to sit down without mentioning that although the right hon. Gentleman the Member for Greenwich thinks Mr. Layard brought an injurious charge against him in *The Daily Telegraph*, I think we ought not to forget that the right hon. Gentleman has brought very injurious charges against Mr. Layard. What does Mr. Layard say about that? Mr. Layard says—

"Mr. Gladstone accuses me of 'having transmitted to the anonymous correspondent of a London journal an injurious accusation against him, which was forwarded by telegraph, and published accordingly. This accusation was that Mr. Gladstone had incited the Greeks to enter into the war between Russia and Turkey, in which his Sovereign was neutral.' There is no foundation whatever for this charge."—[*Ibid.* p. 1.]

As I have said before, the correspondent of *The Daily Telegraph* sent this telegram entirely on his own authority; and Mr. Layard has over and over again, in this Correspondence, denied that what he desired might be mentioned to the correspondent had anything whatever to do with the telegram afterwards published in the London papers. I do not know that it is necessary for me to say more to the House. I hope I have made it clear what the gist of Mr. Layard's defence is. He has said what he believes to the meaning of the second letter. He has said he believed it to be totally different from the telegram in *The Daily Telegraph*. If the right hon. Gentleman the Member for Greenwich had known that this originally was the impression of Mr. Layard, the whole of this Correspondence would have been avoided. The right hon. Gentleman saw the telegram in *The Daily Telegraph*, and jumped to the conclusion that the author of it was Mr. Layard. That is evident from the letter which he published afterwards. If he had seen the explanation given by Mr. Layard afterwards, I am quite sure that he would have felt that he had done Mr. Layard a great injustice in saying that he was the circulator of anonymous reports injurious to his character. Mr. Layard did nothing of the kind. On the contrary; there are several expressions of admiration of the right hon. Gentleman the Member for Greenwich in the Correspondence. They are to be found throughout the whole of these Papers; and I do not think it is right for hon. Members when they find expressions of that kind to pass them by and treat them as nothing, or to treat every expression as merely used in self-defence, or construe it into an attack on the right hon. Gentleman. I hope the House will agree with me that there is no cause for expressing any regret at this Correspondence, and that when a charge of this kind is made against an Ambassador that we are bound to listen to what he has to say. When he disclaims, in the fullest way, the interpretation which has been put on his intention, I think the House will do a very unjust thing not to accept his explanation. If there has been made more noise of this than there was any necessity for, it has not been the ftaul of Mr. Layard; but has been the fault of persons who certainly were not very scrupulous in the interpretation which they gave of the letters of the right hon. Gentleman. I hope this discussion will not be carried further than these Papers, that we shall not enter upon any question with regard to the East, and that it will come to a conclusion which is satisfactory to the House and the country.

Mr. O'REILLY said, the hon. Gentleman (Mr. Bourke) had contended that they could not make Mr. Layard responsible for the telegram which appeared in *The Daily Telegraph.* Now, that was exactly the point; and what were the facts? Mr. Layard was shown the letter by a gentleman in Constantinople. He read it, and formed an opinion on it. He mentioned, not the fact of the letter's existence, but its contents, to a gentleman connected with the Embassy, and said if he saw the correspondent of *The Daily Telegraph* he might mention the matter to him. The gentleman did see the correspondent, and the result was the telegram which appeared in *The Daily Telegraph*, and which could not be defended, because it contained a false charge against the right hon. Gentleman the Member for Greenwich. When *The Daily Telegraph* was asked for its authority, the answer was that the telegram was based on information derived from "a person of consequence in the Embassy." He could not prove that Mr. Layard read *The Daily Telegraph;* but he must have seen the telegram, and knew the charge it contained, and that he was the person of consequence referred to, and he ought, therefore, at once to have taken means to say that the charge was unfounded; but he took no steps, directly or indirectly, to have the statement withdrawn which was contained in the false telegram. There was more than this. In Mr. Layard's statements there were perpetual little inaccuracies. Mr. Layard, in his last letter, said—"I mentioned the fact of the existence of the letter;" whereas, in reality, as appeared by his own statement earlier, he mentioned its contents. Mr. Layard drew attention to the fact that the right hon. Gentleman (Mr. Gladstone) had not published the whole of the Correspondence, when he had the means of knowing that there were only two letters, and that one of them had been published. There was no reason why an Ambassador should not be acquainted with newspaper correspondents; but it was no part of his duty to indirectly supply information to them; and it was doubly unbecoming of an Ambassador, after he had been shown a letter respecting which he formed a hasty judgment, to put himself in communication with the correspondent of a newspaper, giving him the opportunity of using its existence, and a knowledge of its contents, so as materially to compromise the position and opinions of a distinguished public man. The essential fact was that Mr. Layard, by the message which he permitted to be communicated to the newspaper correspondent, caused a telegram to be sent to *The Daily Telegraph,* which contained a false charge, and that he afterwards took no means to have that false statement set right.

Lord ELCHO said, the hon. and learned Member for Poole (Mr. Evelyn Ashley) in bringing forward his Motion intimated that he did not intend to travel beyond the Correspondence and Papers relating to this question; but he (Lord Elcho) thought that anyone who looked at the question from a rational point of view would see that that assertion had not been adhered to in the debate. Assuming that all the hon. and learned Member said in reference to Mr. Layard was right; assuming that Mr. Layard had acted wrongfully; he was of opinion that the House would do well to remember what was the position which Mr. Layard occupied at the present time—to remember that he was their Ambassador at Constantinople, and that he was now in the midst of complications, perhaps, of the gravest character, with which this country had

had to deal, certainly within the last century; and assuming that he had done all the wrong which the hon. and learned Member had endeavoured to show, it appeared to him that the present was not the proper moment to ask the House of Commons to censure our Ambassador at Constantinople. He wished to take the liberty of following a somewhat different course from that which several hon. Members had taken in dealing with the matter; and as regards the question itself, it appeared to him, so far as the charge against Mr. Layard was concerned, that the charge fell to the ground in consequence of the despatch in Paper No. 18, which had just been presented to the House. Assuming that the Ambassador might have acted wrongfully, his (Lord Elcho's) experience of that House was that a man might say almost anything, and commit almost any outrage, if he afterwards came forward, expressed regret, and apologized to the House and to the persons he was supposed to have injured. Such an apology was invariably accepted, and in this despatch he read a distinct and definite apology on the part of Mr. Layard to the right hon. Gentleman (Mr. Gladstone), which, if made by a Member of the House to the House and to one of its Members, would undoubtedly be accepted. He should read Mr. Layard's words. In his despatch, dated the 19th of February, Mr. Layard said—

> "When Mr. Gladstone wrote that I 'made or caused to be made, anonymously and irresponsibly, through correspondents of newspapers, serious and injurious charges' against him, or anyone else, he surely could not have been aware of the facts. All that I have to answer for is that I may, perhaps indiscreetly, have called the attention of a newspaper correspondent to a letter which was already public property. If Mr. Gladstone thinks that I have done him an injustice by doing so, I am quite willing to express my regret to him for it."—[*Turkey*, No. 18 (1878), p. 1.]

He repeated that if this had occurred between two Members of that House, and if such an apology as that had been made, the Member to whom it was made would have been bound by the feeling of the House to accept it. He therefore thought that, not only was this Motion ill-timed, even supposing it was founded on just and reasonable grounds, but that this despatch had cut the ground from under the feet of the hon. and learned Gentleman who introduced it; and had the right hon. Gentleman the Member for Greenwich been aware of the despatch, he might have counselled the hon. and learned Member for Poole to refrain from bringing forward his Motion. He regretted himself, having looked at the Correspondence, that Mr. Layard had written those despatches; and he considered at the time that it ought to have been followed up by some such despatch as that which had been laid on the Table of the House. In his opinion, therefore, both sides of the House ought to be satisfied with the course the Ambassador had taken. He was going to travel still further from the record, and that was to say this—that anyone who had observed what had occurred with reference to this Eastern Question during the last two years, commencing in 1876, must have noticed that there had been a most remarkable, and, he thought, as regarded the nation, a hurtful departure from what was called tradition. They had departed from their traditional policy on the Eastern Question; but, with reference to that question, he would say nothing at the present time. They had departed from another traditional course of action. Hitherto it had always been the custom to support rather than throw difficulties in the path of the Government when dealing with the interests of the nation in foreign complicated questions. He thought there had been more or less a departure from that wise tradition. But there was a third departure from tradition, perhaps not less important than the others, and that was the tradition that the servants of the Crown—Foreign Ministers, Consuls, and Ambassadors—were pretty certain that so long as they retained the confidence of those who appointed them or who kept them in office, they would be supported in their endeavours to give effect to the views of the Government and do their duty by the State. But the House must have observed that there had been a departure from that tradition during the past two years. It began with Sir Henry Elliot. He would not say whether, if they had followed the advice of Sir Henry Elliot, they would have found themselves in the position in which they were now placed in regard to this Eastern Question; but there was no denying the fact that it suited partizan purposes—["Oh!"]—to strike at the Government through the body of the Ambassador at Constantinople. It suited partizan purposes to strike at the Government through the Consuls who acted under the Ambassador, endeavouring to do their duty for England and the State. He ventured to say there had been with regard to Sir Henry Elliot, who was driven into resignation—for he was recalled more or less in consequence of this departure from tradition—a policy pursued which could not meet with approval in the House. That policy had been pursued more or less with regard to Mr. Layard, and there had been no man more active in that course than the hon. and learned Member for Poole. He ventured to say that this tradition of the sanctity of foreign Ministers was one which was necessary for the interests of the nation—that no nation could be well served that treated its public servants in the way he had described. If there was one man in the House of Commons more than another who ought not to have taken this course, and sanctioned such a departure from traditions, it was the hon. and learned Member for Poole. Who began the attack against Sir Henry Elliot in 1876? No one else than the hon. and learned Member for Poole; and why did he (Lord Elcho) say that he was the last man who ought to have done so? Simply because the hon. and learned Gentleman was the private secretary and biographer of Lord Palmerston; and if there was one thing more remarkable about Lord Palmerston's Administration than another, it was that he was better served than any other Minister, and on this ground—he always stood by his servants. He always stood by his servants, and if they were attacked, they would be defended by him, whether right or wrong. [*Ironical cheers.*] Well, there was no doubt on that point; he repeated it—whether they were right or wrong. He hoped that the House would, by not voting on this occasion, maintain a wise tradition with reference to this question of supporting their Ambassadors abroad. He felt strongly on this question; and all that remained for him to do was to apologize to the House for having dealt with it at such length.

Mr. ANDERSON said, he thought the Government would do well not to accept the advice of the noble Lord who had just spoken, to support their foreign Representatives whether they were right or wrong. The noble Lord had talked about the sanctity of their foreign Representatives; but surely their foreign Representatives ought to consider this before they attacked other people. He did not wish to follow the noble Lord in his arguments, as it would seem that he had endeavoured to lead the House away to something very different from the question before them. He wished, on the other hand, to confine the attention of the House to the letters in question. The Under Secretary of State for Foreign Affairs began by apologizing to the House for not presenting the Paper (No. 18) until that afternoon. But the question was not why was not that Paper in the hands of hon. Members that morning, but why was it not in the hands of hon. Members 10 days ago? The dates proved that the Government had the letter in their possession in the beginning of the month, and no explanation had been given. Why did the Government keep it from the House till 5 o'clock on the day on which the Motion on the subject to which it related was to be brought on? The Under Secretary of State for Foreign Affairs stated that he had some copies in the House last night, and that he had done his best to distribute them amongst hon. Members who were interested in the question; but it was certainly a most extraordinary thing that he had omitted to give one to the hon. and learned Member for Poole (Mr. Evelyn Ashley), who, as the Mover of the Resolution now before the House, might be, at any rate, supposed to take some interest in the matter. With regard to the Papers themselves, which were said to be an apology, it was observed by the noble Lord that they cut the ground entirely away from the hon. and learned Member for Poole, because they were an ample and complete apology. But he (Mr. Anderson) contended that no apology had been made at all. In Letter No. 10, Mr. Layard, when asked by the Government whether he had any reply to send, said, on the 17th of January—

> "With reference to your telegram of yesterday, I have not thought it necessary to continue controversy with Mr. Gladstone, and am quite willing that Correspondence should be published."—[*Turkey*, No. 10 (1878), p. 5.]

But what had happened in the meantime? The hon. and learned Member for Poole had asked for Papers, and had given Notice that he would bring the question before the House. That Notice was given on the 12th of February, and he had asked for Papers some four or five days before that. Mr. Layard had ample time to ascertain that the question was to be brought before the House; and after the telegram stating that he did not intend to say anything more upon the subject, and upon gaining knowledge that the matter was to be introduced in the House, he changed his views, and wrote the letter now before them, which some Members said was a frank apology. That letter was no apology at all—it rather aggravated the offence. It was said they would do a great wrong to Mr. Layard if they passed a Vote of Censure on him; but he should have considered this before he did what was wrong. Then the noble Lord opposite (Lord Elcho) said the Motion was out of place at the present time, because the affairs of the country were in a complicated state; but he (Mr. Anderson) would put it to the House whether that argument was to be admitted; for, if so, it might be held that Ambassadors during complicated times might be permitted to do anything that was wrong and escape censure. He did not think that was a theory which the House could support; and he should, therefore, vote with much pleasure for the Motion of the hon. and learned Member for Poole if he pressed it to a division.

MR. ALFRED MARTEN agreed that they had in the right hon. Member for Greenwich (Mr. Gladstone) one of the most distinguished Members of that House, and one whose reputation must be valued most highly by everyone in the House, on whichever side he sat. On the other hand, it should be borne in mind that the Ambassador, whose conduct was called in question, was one of the most distinguished men of the present day. Mr. Layard once held the position of Under Secretary for Foreign Affairs in a Liberal Government, and he owed his promotion to the great office of Ambassador at Madrid to the right hon. Gentleman the Member for Greenwich. Under these circumstances, it was beneath the dignity of the House of Commons to enter into minute criticisms of despatches which related to possibly inadvertent observations made at a public reception. The charge was, in fact, devoid of all substance; but on it was sought to be grounded a grave Vote of Censure against an eminent public servant. The hon. Gentleman the Member for Poole had come forward with a Resolution couched in terms of studied moderation; but in the course of his speech, he had made strong observations with reference to their Ambassador, and he denied the right of the hon. Gentleman to endeavour to obtain votes on the footing that the Resolution was a Resolution of a mild and moderate character. The hon. Member had said that the Motion, if passed, could do Mr. Layard no harm——

MR. EVELYN ASHLEY: I never said that. I said that the language was moderate; but, of course, it would affect the Ambassador.

MR. ALFRED MARTEN: The language of the Resolution was, as he had said, moderate; but the effect of passing it would be extremely strong, and might inflict upon Mr. Layard a serious, and probably a most grievous wrong. It was unfair to refer to documents of which the Ambassador had no cognizance. Now, what was the foundation of the whole matter? The Ambassador, on the 20th of August last, held a public reception. It was attended, among many others, by the correspondents of several London and Continental newspapers. On that occasion a letter was shown to Layard by the correspondent of *The Times*, and he perused it hurriedly, and gave his impression of it in the despatch to which reference had been made. Well, now that the original letter had been found and published, it turned out that Mr. Layard's impression of it was substantially right, and that the impression of the right hon. Gentleman the Member for Greenwich was wrong. The letter was not in French, as the right hon. Gentleman thought, but in English, as Mr. Layard said. That, however, was a small matter; he merely mentioned it to show that no great importance ought to be attached to trifles. The important matter was that Mr. Layard's version of the letter was right; for it said that if M. Negroponte was not inclined to take the advice that the Greeks should throw in their lot with the Slavs, he—the writer—had none other to give. But what happened at the reception? Mr. Layard, having read the letter, which was in possession of one correspondent, authorized his *attaché* to mention its contents to another. An attempt had been made to fix the responsibility of the telegram which appeared in *The Daily Telegraph* upon the Ambassador; but they had the important fact that that telegram was not forwarded for a week after the reception. It was impossible, therefore, to refer the telegram to anything that occurred on that occasion. And yet that was the whole charge against Mr. Layard. Again, the right hon. Gentleman the Member for Greenwich, as appeared by his published letter, was under the impression that the letter which Mr. Layard had seen referred to a former letter, of which it was a summary; and he expressed surprise that that letter had not been called for before comments were made on the later letter. As to that, too, the right hon. Gentleman was under a wrong impression. They now knew that a former letter was not referred to. The House would not fail to bear in mind the state of things which existed at the time Mr. Layard saw the letter. It was a time of excitement and of intrigue. A great war had broken out. It was thought that the Turkish Empire was about to be broken up. The Greeks were urging rebellion against the Porte, and numerous interests were conflicting, and various races contending. All these things threw the greatest difficulties in the way of their Ambassador. To ask them to solemnly pronounce censure upon an eminent public servant because of some expressions dropped in a casual way at a public reception, and afterwards exaggerated in transmission to the public, was totally unworthy of the great historic dignity of the House; and he would fain hope that the Resolution of the hon. Member for Poole had no countenance from the right hon. Gentleman the Member for Greenwich, who himself had not thought it necessary to take any steps in the matter. Their Ambassador had in no niggardly manner, but most fully and frankly, offered an apology; and, under those circumstances, it would be pushing personal feeling to too great a length, and would certainly be a strange stretch beyond what was usual in the conduct of a Legislative Assembly, to ask that his apology should be followed by a strong and formal censure. He trusted the House would take into consideration the eminent services of Mr. Layard, the difficulty of the position in which he was placed, and the casual nature of the charge made against him, and that it would refuse the Motion of the hon. Member for Poole.

Mr. HOPWOOD said, it was a very grave matter, no doubt, to pass a Resolution involving a Vote of Censure on one of Her Majesty's Ambassadors. The question, however, for the House to consider was, whether the conduct of the Ambassador had been such that any Member could defend it. No one opposite had ventured to defend the sending of the information to *The Daily Telegraph* in the manner in which Mr. Layard had sent it. Not even the noble Lord the Member for Haddingtonshire (Lord Elcho) or the hon. and learned Gentleman who had just sat down had attempted to do that; but they had appealed to the right hon. Member for Greenwich by saying—"You are too generous a man to insist on censure of our Ambassador for anything said by him against you." But what right had they to make such an appeal, if they could not defend Mr. Layard, and when they had been told that the Motion was brought forward neither with the concurrence, nor at the suggestion of the right hon. Gentleman? The question was, did Mr. Layard send the information that appeared in *The Daily Telegraph?* Some hon. Members had contended that the first letter had nothing to do with the matter; but he maintained that, looking at the terms of the explanatory despatches, it was clear that the contents of that letter were in Mr. Layard's mind—that the information given to *The Daily Telegraph* was, in fact, the reflection, in his memory, of its terms. The Under Secretary for Foreign Affairs had said that Mr. Layard was acquainted with any number of correspondents in Constantinople; but, if so, why did Mr. Layard choose *The Daily Telegraph* as the medium of conveying the information in question? Was it on any other ground but that the matter was so highly spiced as to be fitted for that journal? Was it not to damage the right hon. Gentleman? It had been urged that what Mr. Layard did was not equivalent to sending the news to the paper; but the way to look at it was that the matter was intended to reach *The Daily Telegraph*, and it did so reach it. If Mr. Layard did not send the information to *The Daily Telegraph*, why did he not correct it? Why did he leave it uncorrected for so long a time? Why did he delay to make atonement to the man who had been injured until Notice of this Motion had been given? The noble Lord the Member for Haddingtonshire said that he had often heard outrageous things said in the House of Commons by one Member of another; but the moment the Member said he was sorry for the language he had used, the matter dropped. Did Mr. Layard say he was sorry? Did he not, in the very despatch which was called an apology, say something insulting above and below his expressions of regret? Why, also, had that despatch been kept back until 5 o'clock that afternoon? He felt sure there was not a man in the House who did not view with regret "the part taken in this matter by Her Majesty's Ambassador."

MR. WHEELHOUSE said, that if at the time this statement was current, Mr. Layard thought—as he very reasonably might think—that there was some substantial ground for such statement, it thereupon became the Ambassador's clear and bounden duty to report the matter to this country and to his Government at home. He (Mr. Wheelhouse) apprehended that there could be no question that when Her Majesty's Ambassador at Constantinople heard of this report, he could not fail to consider it of the greatest moment; and, that being so, it was alike necessary and desirable that inquiry as early as possible should be made into the truth of the allegations. If the House looked fairly at this Correspondence, he imagined—and he thought the House would follow him in the opinion—that there was nothing whatever, from beginning to end, in these letters which really deserved that objurgation to which they had been subjected. If Mr. Layard were in possession of this information, surely it was necessary that he should, without delay, make the substance of it known to this country; and he considered that any Ambassador would have been extremely culpable if, knowing that such a report was actually circulating in the diplomatic circle of Constantinople, in which he was located, he had not immediately taken steps to bring it to the knowledge of his own Home Government. Do not let them enter into circumstances mixing up two matters which seemed to be not only distinguishable, but totally distinct from each other; and more especially was it necessary to avoid connecting the two matters together unfairly. What *The Daily Telegraph* might have reported to this country or anywhere else was one thing, what Mr. Layard said was another, and by that alone could he be bound; and he (Mr. Wheelhouse) would ask anyone to look at these letters without prejudice, and say whether there was anything in them which ought to render Mr. Layard blameworthy. Had he not done that which it had been stated he had done unwisely and indiscreetly—namely, to have caused an investigation into what he had heard—he would surely have been guilty of a very grievous omission, not to say violation, of his manifest duty. Again, it was said that there was nothing like an apology in this Correspondence from beginning to end. If, however, anyone would take the trouble to look through the letters, they would find, so far from that being the case, that almost the very first statement made by Mr. Layard, after the matter became disputable, was one which ought to be considered sufficient as between gentleman and gentleman; because he says, in effect—"If I have done wrong, I am exceedingly sorry for it." He (Mr. Wheelhouse) did not know how anyone could more adequately conceive or express an apology. Let there be neither misunderstanding nor mincing of matters on a question like this. This was not really an attack upon Mr. Layard personally; it was, in fact, an attack upon Her Majesty's present Administration through Mr. Layard; and, moreover, let the House remember that it was by no means the only attack of the kind. Let them recall the fate of Sir Henry Elliot, to say nothing of some of the smaller officials, and then the House would be fully aware of the facts on which this Motion was in reality founded. If the Gentlemen now occupying the opposite benches had been sitting on this side of the House—the Gentlemen, be it remembered, who, while Mr. Layard was here, were themselves his own friends and political associates, and those to whom Mr. Layard first owed his rise in diplomatic life—he ventured to say the House would have heard nothing whatever of this Motion. There was another point in this case, which to him (Mr. Wheelhouse) was, after all, the very gravest. Why did the right hon. Gentleman the Member for Greenwich write to M. Negroponte at all? [*Laughter.*] It might be matter of laughter to hon. Gentlemen opposite; but he asked the question in no spirit of ridicule or of irony—it was one which he would repeat, and it would be asked and repeated pretty widely throughout Europe—he again asked why, on such a subject, at a moment possibly more critical than any other in their previous history, the right hon. Member for Greenwich—an ex-Premier of this country—was in correspondence with M. Negroponte at all? If that question could be fairly and satisfactorily answered, they might learn something more; and it would be fraught with still more especial importance if they could get at that letter, that second letter, which was acknowledged to have been received, as he (Mr. Wheelhouse) understood it, by the right hon. Member for Greenwich, but which, somehow or other, now that it was found to be all-important, as tending to elucidate this business, was not apparently forthcoming. He was greatly interested in the character and conduct of any public servant, who, being far away from home when an attack such as this was made upon him, could not defend himself at once; and he could not discover that Mr. Layard had in this instance exceeded his duty. And, so little did he think it, that, if he were not quite aware that this Motion would be satisfactorily disposed of by the mere negative, he should be very much inclined to move an Amendment in the 9th line of the Motion of the hon. Member for Poole, and that would be to substitute for the words "Her Majesty's Ambassador" those of "the Right honourable the Member for Greenwich," as he believed they would best meet the whole circumstances of this case.

Mr. SULLIVAN said, it had been remarked that this was a Vote of Censure, and he should be the last to deny that it was. They must first ask themselves whether the transaction they wish to characterize was culpable or praiseworthy. It had been said that it was for the honour of this country to be slow in casting blame upon one of its Representatives in a foreign country. He admitted the force of that plea, but he wished to know whether the character and reputation of the country—he should almost say its peace abroad, and certainly the good-will of other countries—were not likely to be seriously compromised by the assertion that the late Prime Minister had been detected playing the part of an incendiary conspirator, the instigator of insurrection, against one of Her Majesty's Allies. He had in vain hoped that some of the right hon. Gentlemen who sat upon the Treasury bench would have risen in their places and grappled with the question whether the transaction viewed in that light was a scandal to England or not. If the right hon. Gentleman the Member for Greenwich had performed the part which had been ascribed to him by the correspondent of a would-be official journal in this metropolis, whose stock-in-trade it was to pretend that he was the semi-official mouthpiece of Mr. Layard—if, indeed, he was not more intimate with the Grand Vizier—it was a question worthy of the notice of the House and of the Government whether the right hon. Gentleman had not been acting in a manner inconsistent with his duty as a Member of this Assembly, and as a citizen of this country. The charge against him was that he, while England was on terms of friendship with the Sultan, endeavoured to foment insurrection in Turkey, and to incite the Greek population to attack the Porte. That was an accusation of the gravest kind to be levelled against one who had filled the position of First Minister of the Crown. He (Mr. Sullivan) should have expected the Government to rise above Party feeling on an occasion like this, and when the character of one of their leading public men was affected to come forward and say that they would not allow the charge to pass uninvestigated and unrefuted. The parties who fabricated and circulated such a charge, the origination of which was traced to the purlieus of the British Embassy at Constantinople, were confederates in a common conspiracy to defame and ruin a public man. He traced the connection between the Ambassador and the correspondent, and between the correspondent and his confederate in the City of London.

There appeared in an illustrated paper what were called cartoons of the right hon. Member for Greenwich, in the garb of an assassin, putting a dagger in the hand of a figure representing Greece, with which to stab in the back a noble individual which stood for Turkey. All England ought to have been ashamed if one of its foremost statesmen had been found capable of acting so mean and despicable a part as was attributed to the right hon. Gentleman. Yet such charges were spread throughout the length and breadth of the land by the journal in which those things appeared —a journal which was supported by the confidence of the ruling Party in this country; although he would not insult those who sat upon the Treasury bench by supposing that they had any complicity with its calumnies on the right hon. Member for Greenwich. After the foul and malevolent libel had done its work at home, there spread a whisper that there was some lurking Polonius behind the arras. The rumour went that he was an influential personage, and investigation came; but did any man, he would ask, believe that the story had not affected England as England in all the capitals of Europe? Were there not men in those capitals to whom it might have occurred that the day might come when they would have Lord Beaconsfield, too, discovered as secretly conspiring against their liberties? But be that as it might, the story was shuffled between *The Daily Telegraph* and Mr. Layard. The correspondent of that paper, with noble audacity, said he was bound in secret confidence to his distinguished informant. Was that true or false? Was it the fact that Mr. Layard placed his friend of *The Daily Telegraph* under the seal and bond of confidence? Did Mr. Layard do that? If so, why? If Mr. Layard was so quick to resent the fancied wrongs of the right hon. Gentleman, why had he not come out and disclaimed any connection with that correspondent? The course Mr. Layard had taken was utterly unworthy the position of an Ambassador of this country. What was his own story? It was like that of Mrs. Grundy, who always circulated gossip about her neighbours "in a casual way." Mr. Layard said to one of his *attachés* — "If you meet the representative of *The Daily Telegraph*, tell him the contents of such a letter;" and he was told. How the story read when it appeared in London the House was aware. Yet week after week passed, and there was not a word in the shape of disclaimer from the British Embassy. It was only when the thing was dragged to light that explanation was tendered. He (Mr. Sullivan) would have expected that at the first whisper Mr. Layard would have leapt forward and said the story was calumnious. He considered all this a shabby plot to ruin the right hon. Gentleman the Member for Greenwich. To whom was the message conveyed? To the representative of a paper which had been long denouncing him in language disgraceful to the age, the representative of a journal which was designating him as a traitor to his Sovereign and his country. He (Mr. Sullivan) had in his time used strong language of public men; but whenever he found out that he had made a wrongful charge, he expressed his regret, and did not hedge it round with such miserable conditions as those which he found in those papers. *The Daily Telegraph* had, he repeated, designated Mr. Gladstone as a traitor to his country, until he blushed to say they had at last come to witness the spectacle of that right hon. Gentleman's residence having to be guarded by the police. Shame, he called, upon England and Englishmen, when such a thing was possible! What was the nature of the transaction in which Mr. Layard was volved? The Ambassador knew a man who could deal a deadly blow. He was reminded of a scene in *Macbeth*, where Macbeth sent for a gentleman of the Press, and said—

> "Was it not yesterday we spoke together?"

This gentleman said—

> "It was, so please your Highness.
> *Macbeth.* Well then, now
> Have you considered of my speeches? Know
> That it was he, in the times past which held
> You so under fortune;
>
> * * * *
>
> "And thence it is
> That I to your assistance do make love;
> Masking the business from the common eye
> For sundry weighty reasons."

And he could imagine the newspaper gentleman saying—

> "I shall, my lord,
> "Perform what you command me;"

and then going off to the electric telegraph office. The House had been told by the hon. and learned Member for Cambridge that, in Mr. Layard's last despatch just laid on the Table of the House, an apology had been given. He (Mr. Sullivan) ventured to say that an apology of that sort, if given in a Court of Law, would only aggravate the damages. After that hypothetical apology had been penned, the end of the letter ought not to have contained a renewed libel, for it ran thus—

> "My view of the duty of an Ambassador is that he should faithfully and fearlessly serve the interests of his Sovereign and of his country. I do not know whether that is the view of Mr. Gladstone."

Did he not know it? Had he spoken the truth? Had he been so ignorant? Had the memories of past friendship so perished from his mind, that his recollections of the life and character of the man whom he assailed could not enable him to answer whether that was the view of the right hon. Gentleman? The shadow of Lord Palmerston had been invoked by a noble Lord who had called upon them to vindicate the character of the Ambassador. He would read one sentence of what Lord Palmerston had said when Mr. Layard had been calumniating Lord Hardinge, a great public man. The noble Lord said—

> "When it was proved that the charges made through the hon. Member were utterly false and calumnious, I should have expected that a due regard for himself and the House would have compelled the hon. Member to acknowledge that he had been misled in this matter, and induced him to bear testimony to the high character of the individual whom he has assailed."

Now, Mr. Layard was at the same game still, and he needed these words to be said about him to-night, as much as he did then. The violence of Transatlantic politicians was often condemned; but if the high tone which had hitherto distinguished our criticisms upon public men on this side of the ocean were to be exchanged for unscrupulous calumny and personal defamation, no one with any self-respect would be able to serve his country, or mingle in the intercourse and the duties of public life.

Dr. O'LEARY said, that he rose with some reluctance; but he felt bound to observe that the hon. and learned Member for Louth (Mr. Sullivan) was not the exponent of the views of all those who sat on that side of the House. The hon. and learned Member asked them all to be above Party in considering this question—to go into the merits of the question, and endeavour to find out who the incendiary was—but it struck him (Dr. O'Leary) that the hon. and learned Member came down to that House prepared with his quotations from Shakspeare and from Lord Palmerston, with the addition of a little modern wit, to support the Resolution. But the hon. and learned Member had raised questions of his own, and had not ventured to give a single argumentative opinion upon the Papers before them. He had indulged in a series of *ex parte* statements—had spoken of the duty of public servants, and so forth, and then waxed wroth in telling them that they should be above Party. The hon. and learned Member had spoken of the purlieus of the Embassy at Constantinople, and yet he had not given a single fact to show that there was any conspiracy to ruin a public man. He congratulated the right hon. Gentleman that he had got an Irish Member who was above Party to come and speak against his countrymen, and against his own Ambassador, in order to sustain the character of the right hon. Member for Greenwich. What were the merits of the case? Let them see what was behind all this? What did it mean? Would a single hon. Member assert that it was not the wish, the hope, and intention of the covert work of the right hon. Member for Greenwich to bring about the state of things referred to as between the Greeks and the Turks? There was no question about it. Would that be less criminal than the right hon. Gentleman printing and publishing in St. Petersburg, and taking care to have the copy corrected by his own hand, a pamphlet calculated to urge Russia against Turkey, and ultimately succeeding in destroying the peaceful intention of the Russian Emperor? Weighing the merits of the question, and considering the effect of the public acts of the right hon. Gentleman on the negotiations of this country with other countries, he should say they had been of a most damnable character. [*Cries of* "Oh, oh!" *and* "Order!"]

Mr. SPEAKER: The hon. Member has used a most un-Parliamentary expression, and I must beg of him to withdraw it.

DR. O'LEARY said, he meant to use the word damaging. But the conduct of the right hon. Gentleman was not only of a most damaging, but also of a most unpatriotic, character, and he would tell the House why. At the time of the war going on between France and Prussia a Provisional Grant was asked for by the Government, and, without opposition, freely given in that House; and, like patriots who studied the welfare of their country, this Opposition supported the Government, as people loving the Constitution ought to do. At that time, when France and Prussia were at war, and there was a danger of this country being involved in war, a small grant of money was asked for. Contrast the action of the Government and Opposition then with what had taken place since! At that time a small meeting was called in Dublin by sympathizers with France. What did the then Government do? By their order the meeting was suppressed by the police. The right hon. Member for Greenwich, then at the head of the Government, said—"You must not tie our hands; you must leave us free. The Opposition have joined in giving us this £2,000,000, and you must not attempt to interfere." So much for Irish liberty. The right hon. Gentleman would not allow Irishmen to say a word in support of one of the belligerents; and what had the right hon. Gentleman done in the present case? Then the hon. and learned Member for Louth (Mr. Sullivan) complained that weeks elapsed without the Ambassador pursuing the question of the Greek plot; but surely he had quite sufficient to do to counteract the plots against the peace of this country. But what happened five or six weeks ago? He, as an Irishman, never saw a more unpatriotic proceeding. The Chancellor of the Exchequer read a despatch from Mr. Layard, who was supposed to have our confidence. He was conducting at that moment delicate and difficult proceedings, and in his hands were the honour and well-being of this country. Three hours later a letter from Count Schouvaloff was received with a most unpatriotic cheer from the Opposition side of the House because it branded our Ambassador as a liar. The tactics of the hon. and learned Member for Louth (Mr. Sullivan) were not those of the Irish Members, who did not intend to be tied to the Whig benches for ever.

SIR HENRY JAMES said, it had been remarked several times in the course of that debate—and in that view he believed they would all concur—that it was their bounden duty to do all that lay in their power to support the authority of the Ministers who represented us abroad; and he conceived that if censure were without foundation endeavoured to be cast on such a Minister—if lightly and without a sense of responsibility attacks were made upon him—those who sought to inflict that censure or to make those attacks would themselves receive sure and speedy condemnation from public opinion. But, on the other hand, it would surely be correct to say that the best way to support English Representatives in foreign countries would be to show that, if their conduct was not such as could generally be approved by English gentlemen, the House of Commons did not shrink from expressing its opinion on that conduct. And it was because he held that there was a grave matter involved in Mr. Layard's conduct which would not receive the approval of English gentlemen that he thought the House and the country would be losing character if, by their silence, they gave to that conduct their tacit sanction or treated it as involving nothing that was worthy of criticism. It was with that feeling of responsibility that every person who criticized Mr. Layard's conduct was bound to approach the question. It might not be a loss of time to discuss, in the first place, what was Mr. Layard's duty in the position in which he was placed. He was the Representative of this country at a foreign Court at a time when, from many reasons, the position was a difficult one. Surely a Minister so situated ought to have made it his chief care to remove himself from all considerations of Party politics, and to keep himself above all suspicion that he had in view anything but the interests of his country as a whole? It had been said that another duty was cast upon him, and this was a small matter—namely, to be in constant communication with the representatives of the public journals of this country. There might be some differences of opinion on that point. If that was really his duty, surely it ought to have been performed impartially in relation to all journals alike, and in a manner entirely free from Party bias. Now, it appeared that certain communications were made to Mr. Layard, as to which he might have taken several different views. He might have thought they conveyed grave charges against the right hon. Member for Greenwich (Mr. Gladstone). If anything communicated to him by his first informant, M. Negroponte, was believed by him, and he really accepted the statements that the right hon. Member for Greenwich was engaged in an endeavour to stir up the Greek subjects of the Porte to revolt, Mr. Layard's first duty was to have investigated their truth. If he had had reason to believe them, he would have felt that one of the most influential of our statesmen was playing a part which no Englishman ought to play; and it would have been Mr. Layard's duty, as was remarked by the hon. and learned Member for Leeds (Mr. Wheelhouse), to communicate with his Government on the subject. It was incumbent on him, if he thought there was a shadow of truth in the accusation, to tell those whom he represented that a distinguished statesman, still one of Her Majesty's Privy Councillors and Advisers, was violating his duty alike to his Sovereign and to his country, and was secretly plotting to produce war and revolution in a foreign State. Mr. Layard, however, never could have believed that there was a shadow of foundation for that charge, or, if he did believe it, had he fulfilled his primary duty of communicating it to the Foreign Secretary? Had he not become a party by his silence to the plot and intrigue imputed to the right hon. Member for Greenwich? It was clear that Mr. Layard never for a moment credited the charge; because, from first to last, not one word on the subject had been communicated to the Foreign Office, and Mr. Layard had maintained a discreet silence regarding it. There was a second course which he might have taken. If he had believed, as he stated in his despatch, that the letter to M. Negroponte was a harmless letter, but that it might be misunderstood, would it not have been well for Mr. Layard to have communicated with the most distinguished statesman for whom he said he had feelings of the greatest respect and regard, to have told him that an innocent letter of his was being misused and misapplied, against his wish, so as to stir up insurrection and produce bloodshed, and to have prayed him to withdraw that letter and make his intention quite clear? Unfortunately for the reputation of our Foreign Minister, unfortunately for the reputation of English public men, Mr. Layard took another course. Having read hastily a letter which he was told was a private letter, and of which he was not allowed to take a copy, he addressed himself to the good offices of one of those who were attached to the Embassy, and told that gentleman that if he saw the correspondent of *The Daily Telegraph* he could mention the contents of that letter to him. For what purpose? Did a sense of duty urge him? Was that the most convenient way of communicating with Her Majesty's Government? It was an inconvenient way of communicating with Her Majesty's Government, to send one of those gentlemen whose assistance he had, by word of mouth to tell somebody else that the right hon. Gentleman the Member for Greenwich had incited rebellion. He quite admitted that if the matter stood there—if Mr. Layard had simply told an *attaché* of the Embassy if he saw somebody to tell another person to tell the correspondent that the contents of the letter were such as they appeared to him after a hasty perusal, Mr. Layard would not have had brought home to him responsibility for the phraseology which the correspondent of *The Daily Telegraph* thought proper to use. The Under Secretary for Foreign Affairs said that Mr. Layard was in no way responsible for the telegram sent by the correspondent of *The Daily Telegraph.* But if he was in any way responsible for it, he (Sir Henry James) understood the hon. Gentleman to admit that Mr. Layard merited our disapproval. But now, in a very few words, let them see upon what ground it was that Mr. Layard was in some way responsible for the telegram. The correspondent of *The Daily Telegraph* thought right to make a very specific charge. He (Sir Henry James) was sorry even for a moment to appear indirectly to be casting censure upon a newspaper. *The Daily Telegraph* was not upon its trial there. It was scarcely compatible with the dignity of the House that they should be discussing in any sense what a journal chose to write unless some question affecting the Privileges of the House was before them. But while they had very little to do with *The Daily Telegraph*, unfortunately Mr. Layard had a great deal to do with it, and they were bound to consider the matter in all its bearings. On the strength of the information which Mr. Layard had favoured him, the correspondent made against the right hon. Member for Greenwich the serious charge that he had urged the Greeks to attack the Turks—that was to say, had incited a foreign people to rebellion. No charge could be more specific. Mr. Layard had since said that he read the telegram with great surprise, and well he might have done so. But although Mr. Layard knew that the statements were bitterly untrue, and that his chosen agent had falsified the information which had been imparted to him, he stood silently by, making not the slightest protest, although he was perfectly aware that the reputation of a distinguished statesman was imperilled. He asked no undue consideration for the right hon. Member for Greenwich; the humblest Englishman was entitled to protection at the hands of the Ambassador under such circumstances; and, considering that Mr. Layard was himself responsible for having set the charge in motion, when he saw that the contents of an innocent letter had been falsified, his duty was to have at once uttered an emphatic protest. Could it be said that Mr. Layard was in no way responsible for the statement in *The Daily Telegraph?* He thought not. Mr. Layard might not have been responsible for the phraseology of the correspondent of *The Daily Telegraph*, but he was responsible for the fact that the charge was made at all. When the person set in motion exceeded the truth, was it not a duty which Mr. Layard owed to everyone in this country who valued its character, and, above all, the character of its public men, to deny that the charge could be supported, and to lay bare the libel which he knew had been made? Mr. Layard's attention was called to this matter in a way which he (Sir Henry James) thought must be painful to all of us who would, if we could, see the character of Representatives of the English nation supported. He was very unwilling to critizize the character of a newspaper there, and he certainly did not wish to state anything on the authority of a newspaper which, in justice to Mr. Layard, ought not to be done. When this charge appeared, his right hon. Friend the Member for Greenwich not unnaturally asked on what authority it had been made? It turned out that the correspondent was then shut up in some Turkish fortress; and when he returned to Constantinople, the proprietors of the journal felt it their duty to demand on what authority he had forwarded the intelligence complained of? The editorial statement of *The Daily Telegraph* was that their correspondent had applied to eminent diplomatic authorities for leave to state from whom the information had been received; but that he had been placed under the seal of confidence, and therefore he was unable to give up the name of the author of the information. This, therefore, was what Mr. Layard had done—he had given the information upon which the telegram was founded, and then he had forbidden the correspondent of *The Daily Telegraph* to refer to him as the author of it. But it was said that Mr. Layard was not responsible for the telegram itself. Why, he had not only read it and had stood by without seeking to contradict it, but he had actually placed the seal of confidence upon the person sending it—and thus it stood, that the English Ambassador at Constantinople, who had been sent there to support not only British interests, but British honour, had not openly but secretly made a communication which had been published, not in the way of information, but for the purpose of attacking the right hon. Gentleman, and who had stood by when he found that the weapon he himself had supplied had been connected with the dagger of the assassin; and it was only when he had been threatened to be dragged to the bar of public opinion that he had come from behind the curtain which had concealed him. His endeavour to secrete himself had failed, because it was the fact that before the 22nd of October he had become aware that the right hon. Gentleman specially charged him with being the informant in the case. He would next call attention to the apology contained in the despatch published this afternoon, and the manner in which he apologized; for, in his opinion, that very despatch contained additional false evidence against the right hon. Gentleman. The Ambassador knew he had never heard of any letter save two; and yet, in the letter of October 29, he said that Mr. Gladstone had published his first letter in French to M. Negroponte, and not the one in English shown to Mr. Layard, nor any others that might have passed between them. This was a suggestion that there were other letters which Mr. Gladstone was intentionally keeping back. And he went on to say—

> "I am aware that M. Negroponte has transmitted to Mr. Gladstone either the original or copies of all the correspondence, but he has not thought fit to publish them."

That statement was totally devoid of accuracy. No such letters had ever been transmitted, for the right hon. Gentleman would only have been too glad to obtain and publish them. But Mr. Layard, after having made these statements on the authority of M. Negroponte, informed Her Majesty's Government that that gentleman had been guilty of gross falsehoods, and that it was impossible to rely upon what he said. But was it right that an English Ambassador should make statements of this kind respecting an English public man upon the authority of persons who could not be believed? Some hon. Members opposite differed strongly from the political views of the right hon. Gentleman, and disapproved the manner in which the right hon. Gentleman put forward his opinions; but that was all the greater reason why they would refrain from wounding him secretly. Political opponents should be met at the proper time by open argument; and he was satisfied that there was not one of the hon. Members opposite who would vote to-night in favour of the proposition that the conduct of Mr. Layard was worthy of approval who would not have shrunk from adopting the course he had done in this matter. It seemed to be generally admitted that Mr. Layard had been guilty of indiscretion, and what the House differed about seemed to be the censure that should be employed. If they could have come to the conclusion that an apology had been made, there would have been no one who would not have gladly escaped from the discussion. But to whom should the apology have been made? How was it, if the Government regarded the despatch as a complete and ample apology, that it had remained unpublished from the 1st of March until to-day, and how was it that it had never yet been forwarded to the right hon. Member for Geeenwich? Was it not the duty of the Foreign Office to have communicated Mr. Layard's letter to Mr. Gladstone, although it might have been good taste to keep it back? Of course, Mr. Layard was willing to admit that which he could not deny, and he apologized if he had been indiscreet in communicating with the correspondent; but in every other line of the letter he reiterated his attacks, and made assertions every one of which could be proved to be inaccurate. Towards the close of the letter, in order to qualify the apology, he charged the right hon. Gentleman with disingenuousness in saying what might suggest that his Correspondence with M. Negroponte occurred while the Conference was sitting at Constantinople, whereas the second letter was written in July, during the progress of the Servian War, and in the hands of M. Negroponte might be used to drag the Greeks into the war. That might or might not be a well-founded opinion, but these were not words of apology. An apology should be free from the reiteration of offensive matter; but Mr. Layard suggested a new charge. He stated that his view of the duty of an Ambassador was that he was to serve the interests of his Sovereign and his country, and not those of factions or individuals. And this was a letter of apology. A letter containing this statement was to be accepted by the right hon. Gentleman as an apology, and he was to be satisfied. Whatever might be the views of the right hon. Gentleman, it was the view of his political Friends, and must be that of every independent man, that conduct such as this could be met only in one way. Some hon. Members had found fault with the absence of the right hon. Gentleman — that distinguished statesman whom Mr. Layard so "esteems and respects;" but he, for one, must confess that he did not think it unbecoming that the right hon. Gentleman should not be present to take part in the Councils of his personal and his political Friends in reference to this debate. What he contended was that, when attacks had been made upon a man persistently, and when the calumnies cast upon him had been disproved, an unqualified and unconditional acknowledgment should be made. In this instance, such an acknowledgment had not been placed before the House; and he trusted that, in support of that authority which was now being attacked, and for the maintenance of English honour—which could rest only upon the basis of high-class and straightforward and open conduct—the House would not shrink from performing the duty, painful and responsible though it might be, of refusing its approval to the conduct of the British Ambassador at Constantinople.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD): Sir, before any commentary is made on the qualified nature of the apology contained in the Papers, we ought, I think, to ascertain what is the accusation made against Mr. Layard; because a gentleman may take this view of what he has done. He may say—"I have acted to the best of my judgment, and have not been guilty of any intentional wrong. I may have been guilty of imprudence in acting upon what others told me; and if I have caused any wrong to anybody in that way, I am sorry for it." But if, on the other hand, it is charged against him that he has been guilty, not of imprudence, but of a foul plot, deliberately planned to crush a man with whom he is at political variance, then I can understand him saying—"I have no apology to offer." But it is not candid to criticize a document which deals with both these views as if it dealt with one only. Now, I should like to know what is the view of hon. Members opposite? The hon. and learned Member for Louth (Mr. Sullivan) has, in the plainest and freest language, described Mr. Layard as a conspirator—as one who had entered into a deliberate conspiracy to slander a public man, whom to slander in this case would be peculiarly base. [*Cheers.*] I accept that assent to what I have said; but I want to know what evidence there is that Mr. Layard has been guilty of conspiracy? What is the evidence of so foul a charge? I am surprised to hear hon. Members—hon. and learned Members who, by very reason of their Profession, ought to take care that a charge is well established before it is preferred—making grave accusations of this sort. As far as I see, the charge is of an alternative character—either that Mr. Layard was extremely careless or very wicked. That is the ground on which we are to proceed. Are we to accept Mr. Layard's statement, founded upon facts within his own knowledge, or are we not? ["No, no!"] Some Gentlemen say "No, no;" but I am willing to believe that the great majority of hon. Gentlemen opposite would shrink from attributing to an English gentleman that he was guilty of absolute falsehood without any particular evidence of the fact. Mr. Layard has given a statement of what occurred in his own presence and within his own knowledge. Is that statement to be accepted as true? If so, it comes to this—that Mr. Layard had a statement made to him by a Greek gentleman that the time had come when there ought to be a rising of Greece against Turkey. The explanation of Mr. Layard is, that on August 20, a correspondent of *The Times* produced a letter from Mr. Gladstone to M. Negroponte, which he told him he might mention to another correspondent, but of which he was not allowed to take a copy. The commentary of the hon. and learned Member upon that is that he looked at a private letter.

SIR HENRY JAMES: I said that it was in this sense a private letter, that he was not allowed to make a copy of it.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD): I believe the hon. and learned Gentleman has very accurately repeated what he said at first; but I am unable to understand such mixed-up arguments. I want to know what is the accusation founded on that? Was it wrong for Mr. Layard to look at it? Hon. Members seem to forget that they are discussing the conduct of a Gentleman who is not only not in the House to defend himself, but not near at hand to give explanations of casual expressions in his letter. They ought to remember, when they are asked to do justice to the right hon. Member for Greenwich, that Mr. Layard has not the same means of explanation which the right hon. Gentleman the Member for Greenwich has. What was Mr. Layard's explanation? He says—

> "I remember observing to the person who showed it to me that, although there was not much in the letter, it might be very mischievous when in such hands. . . . The letter was shown to me under no pledge of secrecy. So far from such being the case, it seemed to me, as it was in the hands of a newspaper correspondent, to be public property. It was, I know,

shown to my Italian and Greek Colleagues, and I have every reason to believe to many other persons. I mentioned its contents to a person connected with the Embassy, adding that if he saw the correspondent of *The Daily Telegraph* he could mention it to him."

[*Cheers.*] He would venture to say that from the commencement to the close of the Correspondence, that sentence which hon. Members cheered was the only one on which this superstructure of accusation against Mr. Layard could be raised. The hon. learned Member for Louth spoke of assassins hired to stab the character of an enemy; but I would ask the hon. and learned Member if he has ever seen or comprehended the proceedings of a court of justice, or thought of the kind of evidence which would be required to support an accusation of such heinous enormity against a gentleman against whom, to say the least, no such charge as that of being a co-conspirator has ever previously been made. What I maintain is, that it is all very well for the hon. and learned Member for Louth to indulge in smartly-turned sentences like this; but, if it means anything, it means this—that Mr. Layard intended and directed the correspondent of *The Daily Telegraph* to write an accusation and publish it in this country, which accusation Mr. Layard knew to be untrue, for the purpose of injuring the right hon. Member for Greenwich. [*Cheers.*] I recognize the fact that this is not a sentiment which will be generally cheered on that side of the House. With what force can an accusation of that sort be made upon such materials as have been relied upon to justify it? What ground has Mr. Layard given in his past life or conduct to lead anyone to suppose that now he could be capable of conduct which would render him unfit not only to be a British Ambassador, but would disentitle him to be admitted a member of society? I do not hesitate to say that any one of the meanest criminals whom we see at the bars of our courts would be less morally guilty than a gentleman who, in Mr. Layard's position, could act in the manner so characterized by the hon. and learned Member for Louth. I feel some degree of difficulty in controlling the words proper to apply to such an accusation. The hon. and learned Member for Taunton, referring to the sentence in Mr. Layard's letter—

"I mentioned its contents to a gentleman connected with the Embassy, adding that if he saw the correspondent of *The Daily Telegraph* he could mention it to him;"

—on that ground, and on that ground alone, attributes to Mr. Layard the responsibility for the telegram which was sent to this country. But what did Mr. Layard say on this subject, and what he said remained uncontradicted? He said—

"The correspondent took time to inquire into the matter, and, having satisfied himself that a Correspondence was going on between Mr. Gladstone and M. Negroponte, and that the Greeks were under the impression that Mr. Gladstone had been stirring them up to unite with the Slavs to attack the Turks, he telegraphed to that effect on Monday, the 27th of August, and his telegram was published on the following day."

So that Mr. Layard expressly attributes the telegram to the inquiries which the correspondent had made independent entirely of this communication; and yet the hon. and learned Gentleman opposite assumes that the telegram was altogether the consequence of that communication, and then, as a corollary, that Mr. Layard had placed the correspondent of *The Daily Telegraph* under a seal of secrecy that he was not to disclose his informant. In the first place, I say, a candid reading of the despatches disposes of this assumption; and, secondly, that my hon. and learned Friend (Sir Henry James) has failed to point out a single instance in which either the correspondent of *The Daily Telegraph* or Mr. Layard admitted any such confidence between them. The whole case that has been put forward against Mr. Layard depends upon assumptions which are negatived by the despatches. I hope and believe that hon. Gentlemen opposite will not take the view that Mr. Layard is a conspirator. Mr. Layard must be the most uncandid person in the world if he sheltered himself behind such a veil of secrecy. Now what said Mr. Layard in this Correspondence on that subject. He says—

"My sole imprudence, if imprudence it was, was that communication. I utterly deny that I have been a party to any attack on the character of Mr. Gladstone."

The hon. and learned Member for Poole (Mr. Evelyn Ashley) started the discussion by asking if it was a part of the duty of an Ambassador of this country to lend the weight and authority of his position for the purpose of crushing a public man? That observation, if relevant at all—and I suppose it was intended to be made so—conveys the impression that that was what Mr. Layard was doing. Mr. Layard denied the insinuation against him, in the form in which an English gentleman would do so, and he naturally assumed that his denial would be sufficient. The right hon. Gentleman the Member for Greenwich had published an attack in by no means measured terms upon Mr. Layard; and, in considering the tone of his last despatch, it should be remembered that he was defending himself against the particular imputation which he, good, innocent man, thought was disposed of, when he pledged his honour as a gentleman that he had nothing to do with the telegram to *The Daily Telegraph*. Notwithstanding some extreme minds, who without evidence are willing to accept the gravest accusations, I believe the great majority of English gentlemen will recognize the fact that when Mr. Layard had pledged his honour to a statement, it should be accepted as true; when he said—

> "I am extremely sorry if any imprudence of mine has led to any unfounded or unjust attack on one with whom I have long been on terms of political intimacy;"

but he went on to say that his general conduct had been attacked, and that a British Minister ought not to be browbeaten and made the victim of a faction either in England or elsewhere—but he would firmly and courageously do his duty undeterred by any attack which might be made upon him, however eminent the source from which they came. These words were described as an additional insult; but they were written by Mr. Layard in defence of his conduct, which, without reference to this particular issue, had been violently attacked by the right hon. Member for Greenwich and others. I believe the great body of his countrymen will echo and recognize the fact that Mr. Layard in this respect has acted as becomes an Englishman.

THE MARQUESS OF HARTINGTON: Sir, this question has been discussed at considerable length and with great ability, although I must say I am unable to congratulate the Government upon either the amount or character of the unofficial support they have received during the debate. I am sure the House will not expect me to follow minutely the speech which has just been delivered by the hon. and learned Gentleman the Solicitor General. Qualified as he is by the Profession of which he is an ornament to go with effect into minute details, I feel I shall not do justice to the case which has been so ably argued by my hon. and learned Friends the Members for Poole and Taunton if I were to enter into any legal argument; but there is one observation I wish to make with regard to the whole of the speech we have just heard. It appeared to me that the hon. and learned Gentleman, finding some difficulty in meeting the charge brought against Mr. Layard, and the speeches by which it has been supported, has thought it necessary and easier to defend Mr. Layard against charges which are not brought forward, or, which, at all events, have not been generally brought forward by hon. Members on this side of the House. I believe in the warmth of debate the hon. and learned Member for Louth (Mr. Sullivan) did, in the course of his able speech, say something about a conspiracy, which probably the hon. and learned Gentleman opposite thought would apply to Mr. Layard. What I wish to point out is that the charge made in this Resolution by the hon. and learned Member for Taunton, and generally on this side of the House, is nothing of the kind, and there is no imputation whatever that Mr. Layard deliberately entered into a conspiracy to injure my right hon. Friend the Member for Greenwich. What charge actually is made, I will, by the permission of the House, state by-and-by. With reference to what fell from the hon. Gentleman the Under Secretary of State for Foreign Affairs, I am quite willing to admit and at once, that the Motion which has been made, and which it is my intention to support, is a Vote of Censure on Mr. Layard, and the course which my hon. and learned Friend the Member for Poole (Mr. Evelyn Ashley) took in moving that Vote of Censure is one which requires no apologies. It was a course which it was his duty to take if he brought forward this question at all. I do not think that my hon. and learned Friend would have done his duty if he had called attention to these

Papers, and had not said he would invite the House to pass judgment on the conduct of Mr. Layard. Both Mr. Layard and the Government would have had cause of complaint if he had adopted any other course. It was the only course possible. The Under Secretary of State said—and I very much agree with him—that, although there is some complication about some parts of the matter, the whole thing really lies in a nutshell; and he stated that his defence of Mr. Layard was grounded solely on the basis that Mr. Layard denied his responsibility for the telegrams sent to *The Daily Telegraph.* Just let us see how the matter stands. There can be no doubt that Mr. Layard had some responsibility with that telegram, because he acknowledges a message sent to the correspondent of that paper, which called the attention of that correspondent to the matter, and on which, to a certain extent, the telegram was founded; but I quite admit that that message contained no foundation for the monstrous telegram forwarded by the correspondent of *The Daily Telegraph.* But what we have to consider is whether what took place subsequently did not impose some responsibility upon Mr. Layard. As was pointed out by my hon. and learned Friend, one would have thought that Mr. Layard would have felt some responsibility, when a copy of *The Daily Telegraph* containing the assertion of the correspondent reached him. He must have known that the letters of the Correspondence to which that message referred were the letters to which he had called the correspondent's attention; and it must have caused some astonishment in his mind that so monstrous a misstatement had been made, and that it should be based upon evidence so slight as that which he knew to exist. One would have thought he would have considered it necessary to take some action. What happened afterwards? In the letters of M. Negroponte to *The Times,* and the editorial explanations of *The Daily Telegraph,* Mr. Layard must have known he was directly indicated and charged with being the origin of the statement which was put forward. [The Chancellor of the Exchequer dissented.] I see the Chancellor of the Exchequer appears to dissent, and I may have used the expression not strictly accurate when I said "directly indicated and charged;" but if he was not directly, he was indirectly charged, in a manner which must have been perfectly clear and unmistakeable to himself, with being the person on whose authority that telegram was, in the first instance, sent; but, notwithstanding that, Mr. Layard does not seem to have considered it necessary to take any action in the matter except that which we have before us. We know what explanation Mr. Layard has thought it necessary to make. What the House has to consider, without debating whether Mr. Layard is engaged in a conspiracy with the correspondent of *The Daily Telegraph*—which, for my part, I do not for one moment conceive possible—is whether, looking at the unfortunate indiscretion into which he was in the first instance betrayed, he has made that apology and that reparation to the character of my right hon. Friend which he is bound in duty and in honour to make. I do not think it was enough for him to make a statement showing that his connection with the affair was not a very great or a very close one. He cannot deny—he does not attempt to deny—that he had something to do with it. He cannot deny that upon further explanation he was satisfied that there was no foundation whatever for the charge which was brought against my right hon. Friend. What is the course which would have been taken by almost everyone in this House under those circumstances? He would have stated, as he has done frankly, what part he took in the matter; but he would have gone on to say that he was now satisfied by the publication of the whole Correspondence that there was not a shadow of foundation for the charge against my right hon. Friend, and that he deeply regretted having been implicated in any manner and to any extent with the giving of information which had led to the publication of such a baseless and totally unfounded charge. I regret the part which has been taken by Her Majesty's Ambassador at Constantinople, and that he has not thought it necessary to take the course which would have been obvious to most gentlemen. On the contrary, though not in the least degree supporting the charge which has been brought against my right hon. Friend, he argues and fences, and asks for the Correspondence, and thinks there is still behind some Correspondence which may make the charge not so very improbable; and even in his last statement, which we are to take as an ample apology, Mr. Layard cannot refrain from returning to the charge. He says—

> "As regards the effect which that letter, in the hands of M. Negroponte, was calculated to produce, I will leave those who have studied its terms, and those who know this country, to judge."—[*Turkey*, No. 18 (1878), p. 2.]

That is contained in the letter which is represented to us now as a sufficient letter of retractation and apology. True, he says there is no foundation for the charges of the correspondent of *The Daily Telegraph;* but he adds that he cannot help thinking that this Correspondence was a very objectionable Correspondence, and those who are acquainted with the country know what its effect might have been. What has been the conduct of the Government in this matter? Have they expressed the smallest disapprobation of Mr. Layard's conduct? If, in the course of this debate, any Representative of Her Majesty's Government had come forward to say that they regretted the course he had taken, and they thought a more ample apology should have been made, and that they would take steps to recommend Mr. Layard to make that more ample apology, I should have been disposed to advise my hon. and learned Friend to ask for permission to withdraw his Motion; but no such statement has been made. The Government have not expressed the smallest disapprobation of the conduct of Mr. Layard. On the contrary, that conduct has been defended in every respect by Members of Her Majesty's Government who have spoken; and I think, before we go to a division, we have a right to ask the Government to say whether, in the first place, they think that it is conduct befitting Her Majesty's Representative to hold this sort of communication with a representative of the Press—communication, let it be remembered, not as to facts that it may be desirable should be made known—communication, not with the representatives of the Press generally, but with one organ—communication, not as to facts, but as to rumours and surmises and imputations founded upon letters which, as Mr. Layard himself admitted, did not seem to be of importance, but upon which a charge might be made damaging to a political opponent—I ask whether, in the opinion of the Government, that is conduct befitting and worthy of the Representative of Her Majesty at Constantinople? In the next place, if they approve of such communications as these passing between the Ambassador and a representative of the Press, I ask them whether they approve of Mr. Layard's conduct since the utter want of foundation for the charge which was brought against my right hon. Friend, partly at the instigation of Mr. Layard, was made known—I ask them whether they consider that the reparation which Mr. Layard has made is ample and sufficient? In the absence of such an explanation, I cannot do otherwise than advise my hon. and learned Friend to go to a division, in which I shall join him most cordially.

THE CHANCELLOR OF THE EXCHEQUER: I confess that the speech of the noble Lord opposite (the Marquess of Hartington) goes a very little way indeed to remove the difficulty under which we have laboured throughout the whole course of this debate—I mean the difficulty of knowing what the precise charge is which is to be made against Mr. Layard, having regard to the particular words used in the Motion in reference to an expression of regret for the conduct referred to on the part of Her Majesty's Ambassador. Everybody knows perfectly well that the force of language of that kind depends on the meaning attached to the words used, and that for the House of Commons or the Houses of Parliament to express regret with regard to the conduct of an important person like the Representative of Her Majesty at a foreign Court is a very serious thing indeed. It is a very serious step to be taken, under any circumstances; but it may be more or less serious, according to the meaning that is attached to it. Now, if the meaning that is attached to the phrase we are asked to accept were the meaning given to it by the noble Lord, though it would be one we could not possibly agree to accept, and, though it would be one which we should feel would be injurious to the position of, and unfair to, our Ambassador at Constantinople, still it would amount to very little more than this—that it was intended to express the opinion of this House, that, in a certain matter, our Ambassador had not been quite as discreet as he should have been, and that the apology, or expression of regret, offered for the consequences of that indiscretion, had not been as ample and as well-worded as, in the opinion of some persons, it should have been. It would have been impossible for us to accept that, because we do no not think it would be justified; yet it would be very different to the meaning attached to these same words by many hon. Gentlemen who have taken part in this debate, either by speech, or still more, by the expression of their opinion in another and more noisy way. What other Gentlemen charge Her Majesty's Ambassador with is, not that he was merely guilty of an indiscreet action, or of using a few indiscreet words, and not with having failed to express his regret for the consequences of that indiscretion in language which they think sufficient; but they charge him with a wicked and deliberate conspiracy to crush, as was said by the hon. Mover of the Motion—from whom, and not from the noble Lord, we must take the meaning attached to it — to crush a distinguished statesman in this country by the use of his position and his influence as Ambassador at Constantinople. That charge has become still more serious when it is enforced by the eloquent and heated language of the hon. and learned Member for Louth (Mr. Sullivan), who used language which it has been said might have passed in the heat of debate; but which was of a peculiar character for language to be used in the heat of debate, because it comprised elaborate quotations from Shakspeare and from *Hansard* of many years ago. Therefore, the heat must have been of some standing. Now, what I want to point out to the House is, that they should consider what the effect of their accepting this Resolution would be upon the position and character of our Ambassador. I want them to consider what would be the effect to-morrow morning, over England and over all the world, if after such a debate, and after such charges as these, the House of Commons agreed to pass a Resolution of this character. Everybody must see that it would be consequences of the most serious character. Well, then, we ask—and I must decline to go into the minor question raised by the noble Lord, because I am bound to address myself to the more serious charge made by a considerable number of hon. Gentlemen in this House—we ask on what foundation is it that you prefer this charge against Her Majesty's Ambassador? I have observed, and I have observed with regret, that hon. Gentlemen who are so loud in calling for fair play, and in denouncing everything which, they say, is at all calculated to prejudice the position of my right hon. Friend the Member for Greenwich—I have observed that these hon. Gentlemen, when an attempt was made to argue the question upon its merits, and to ask what is the evidence on which the serious charge you make rests, met such attempts as were made with impatience and unwillingness to listen to the arguments addressed to them. My hon. and learned Friend the Solicitor General (Sir Hardinge Giffard) was quite right, and was bound to take the course he did. He was speaking in behalf of a Representative of Her Majesty, who was, as it were, on his trial in this House, and against whom an indictment of a very serious character had been preferred. He asked—"On what evidence does it rest?" When, however, he attempted to analyze the evidence, and to show that it was insufficient to bear out any charge of the kind, he was, I am sorry to say, met with interruption which seemed to imply that he was endeavouring to evade the question at issue. He endeavoured to pin hon. Gentlemen opposite to a precise and definite charge. We are ready to accept the issue, fairly raised. My hon. Friend the Under Secretary of State for Foreign Affairs, at the very beginning of the debate—indeed, in the first speech delivered in answer to the hon. and learned Gentleman opposite (Mr. Ashley)—put the case in a single sentence. He said the whole case, as we understand it, rests on this—it rests on the supposed connection of Mr. Layard with the telegram of *The Daily Telegraph*, and he said—"Mr. Layard is not responsible for the telegram that was sent to *The Daily Telegraph*." Well, around that assertion and defence which have been made by my hon. and learned Friend, there has grown up a large amount of discussion which has ranged over a very wide area. But after all, it is the point to which we must come back, and we must inquire how far, and to what extent, if to any extent, Mr. Layard is responsible for that telegram. If hon. Gentlemen wish to do justice to Mr. Layard, as I cannot doubt they really do in their calmer moments, they must consider one or two things which have hardly been sufficiently noticed in this debate. They must consider what the circumstances were at the time that the conversation took place to which reference has been made—I mean the conversation at which the letter of Mr. Gladstone was shown to Mr. Layard. They must remember that it took place at Constantinople at a time when a very serious war was going on, and when efforts were being made in Constantinople by persons who may have been justified, from their own point of view, in what they were doing—when very serious efforts were being made to induce the Greek people to rise and to join in the struggle going on between the Turks and the Slavs. M. Negroponte was one of those who were particularly active in promoting that line of conduct. I say nothing against him for taking that line of conduct if he thought it right; but it was not the policy of Her Majesty's Government to encourage anything of the sort. On the contrary, Mr. Layard, acting in accordance with the Instructions he had received, was discouraging these attempts, and it appears that M. Negroponte had more than once been in communication with him, and had endeavoured to persuade Mr. Layard to take a different line, and to advocate the joining of the Greeks with the Slavs. Mr. Layard had urged that that was not the right course to take, and M. Negroponte had come forward and had told him that though he (Mr. Layard) dissented from it, Mr. Gladstone had taken a different view, and was of opinion that the time had come for the Greeks to unite with the Slavs and to throw off the Turkish yoke. Further, M. Negroponte stated that he had received a letter from my right hon. Friend the Member for Greenwich to that effect. Then, besides these communications going on with M. Negroponte himself, it appears there were other persons speaking in the same sense, for Mr. Layard proceeds to say—

> "I subsequently heard from several persons, amongst them my Greek colleague"—

that was rather an important person, and would naturally take much interest in what was going on—

> "that a Correspondence was going on between M. Negroponte and Mr. Gladstone, who had expressed himself in favour of a Greek rising."—[*Turkey*, No. 10, (1878), p. 1.]

He then goes on to state that there were other persons who had been so informed, and he refers to a letter published in *The Pall Mall Gazette* of the 15th of September. He says—

> "The author of which, a well-known publicist in this capital, had been informed by M. Negroponte of his Correspondence with Mr. Gladstone apparently towards the end of July."—[*Ibid.*]

All these things had been brought to Mr. Layard's notice, and it was pressed on him from more quarters than one, two, or three, that there was a Correspondence of this kind going on between my right hon. Friend the Member for Greenwich and M. Negroponte. In the middle of the communications, at a reception at Mr. Layard's house, a gentleman likely to be well-informed—namely, the correspondent of *The Times* newspaper—thought it right and desirable to show to Mr. Layard, and to put into his hands, a letter from my right hon. Friend the Member for Greenwich. That letter contained this expression, which I think we ought to bear in mind in justice to Mr. Layard—

> "I sought only to insist on the policy and duty of treating the Christian cause as one in the face of the Ottoman power and influence, and of adjourning to a future day the settlement of an inter-Christian Conference."

That was a perfectly innocent and legitimate statement for my right hon. Friend the Member for Greenwich to make; but what struck Mr. Layard the moment he saw it was that it was made to M. Negroponte, who was at the head of a revolutionary movement, and who was going about and making use of the great name of the right hon. Gentleman the Member for Greenwich in order to persuade people that this idea of the Greeks joining the Slavs was not an unsupported idea of his own, but had the sanction of one of the greatest statesmen in England. It occurred to Mr. Layard that such a letter in the hands of a man who might make a bad use of it was a dangerous thing, and that although there was not much in the letter, it might be very mischievous when in such hands. Under these circumstances, he returns the letter, of course, and then he did that upon which the charge rests—that is to say, he told a member of the Embassy that if he saw the correspondent of *The Daily Telegraph*, he might inform him of it. In regard to this letter, it should be borne in mind that the knowledge of its existence was not confined to Mr. Layard, because it was known to several other persons, and, amongst others, to his Greek and Italian Colleagues. It was under these circumstances that Mr. Layard said to a gentleman connected with the Embassy that if he saw the correspondent of *The Daily Telegraph*, he might mention the letter to him. The question whether Mr. Layard had better have made that communication or not, is a matter fairly open for consideration and question; but, however important you may think it—however indiscreet you may think it of him to have said anything of that sort, it falls so very far short of the imputations thrown upon Mr. Layard in this matter, that it is really hardly worth considering. Well, what happens? Mr. Layard informs us that he heard nothing more about it for some time, and it does not appear that the correspondent of *The Daily Telegraph*, immediately on receiving the information, telegraphed it off to England. He waited for a whole week, and, in the course of that week, as far as we can judge from the information incidentally conveyed by the papers, he got the information from other papers also, and from that information he constructed the telegram which was sent to *The Daily Telegraph*. In the form in which that telegram was given, it no doubt created a great sensation in this country; and it is no wonder that my right hon. Friend the Member for Greenwich, as soon as he became aware of it, should have challenged the accuracy of the statement, and have taken the course he did. Unfortunately, it appears that the gentleman who was the correspondent of *The Daily Telegraph* had been sent off to another place, and was not accessible. He was shut up in Plevna during the great siege, and there were no means of secure communication with him on the subject open either to his employers or to Mr. Layard, a fact which accounts for some little of the delay which took place in the matter. But hon. Gentlemen say that Mr. Layard endeavoured to shelter himself behind the injunction of secrecy which he laid upon the correspondent of *The Daily Telegraph* when the matter was mentioned. It is entirely a matter of assumption that that was the case. The correspondent of *The Daily Telegraph* undoubtedly says there were persons of high position, and so forth, who had laid this injunction of secrecy upon him, and it may be that Mr. Layard may have been one of them. But it really is an assumption, and it is an assumption that I do not know we have any of us a right to make. We must bear in mind that, after all, Mr. Layard is the person who voluntarily comes forward and discloses the share he had in the matter. How is it we know anything about it? The first we know about it is contained in the despatch addressed by Mr. Layard himself to Lord Derby on the 29th of October. How does it begin?—"My Lord, I am desirous"—he is not called on, but it is a voluntary act on his part—

> "My Lord, I am desirous, in justice to myself, to put on record what took place between M. Negroponte and me with reference to the correspondence between that gentleman and Mr. Gladstone, which appears to have given rise to much unfavourable comment and a good deal of misrepresentation in England and elsewhere."—[*Ibid.*]

He does it, undoubtedly, because he had seen the Correspondence which had taken place in England—the letter of my right hon. Friend the Member for Greenwich, and he had seen also that the matter, to which probably he did not attach very much importance, was creating great excitement in England. Then he comes forward, and he does not conceal anything at all. He comes forward and states exactly what has taken place as far as anything appears, and he is entirely borne out by the facts which have been proved. Now, I do say that in such a state of things as that, to come forward and charge deliberately and angrily a man like Mr. Layard, holding the responsible position he does, with an attempt to use his official position to crush or to injure an English statesman, towards whom he stood in peculiar relations, and to charge him with doing that by means of an anonymous and concealed attack, is so very unfair, and so very monstrous a charge, that I am persuaded no House of Commons and no Deliberative Assembly of Englishmen will countenance such a charge without the clearest proof. And you have nothing of the sort. The evidence, on the contrary, bears all the other way. The evidence may, if you like to say so, amount to that which Her Majesty's Ambassador himself describes as an indiscreet proceeding on his part; and if that is all that is meant, I am not prepared to say that it is the most discreet thing in the world to send messages to newspaper correspondents. But as to making a charge against Mr. Layard of having deliberately intended by the proceeding to do any act of an unfair or underhand character, or anything that could be construed into an attempt to injure the character and reputation of an English statesman, is to pass a gross libel upon Mr. Layard, and it is language which I am perfectly certain the British House of Commons will never consent to use.

Question put.

The House *divided*:—Ayes 132; Noes 206: Majority 74.—(Div. List, No. 46.)

ORDERS OF THE DAY.

METROPOLIS WATER WORKS (PURCHASE) BILL—[BILL 58.]

(*Sir James M'Garel-Hogg, Sir Andrew Lusk, Mr. Grantham, Mr. Rodwell.*)

SECOND READING.

Order for Second Reading read.

SIR JAMES M'GAREL-HOGG: In rising to move that this Bill be now read a second time, I feel that I must ask the indulgence of the House for taking up time at this late hour, and introducing a Bill which deals with one of the most important questions which can affect a large number of the inhabitants of this Metropolis—namely, a pure supply of water. I ask the House to grant me the second reading of the Bill for the purpose of referring it to a Committee, where it will be taken in conjunction with a Bill which has already passed the second reading in this House, which is a Bill for obtaining a better and a purer supply of water for the Metropolis at large. I trust that before that Committee, where I hope the Bill will be sent, all the various and complex interests involved will be carefully examined and considered. I have heard some of those who are advocates of the Water Companies, say that their antiquity is one reason why they should not be purchased by a municipal authority. With regard to that, I would simply make one quotation, which I think is applicable to the present occasion. It is from the Report of the Royal Commission of 1866, paragraph 246. It is stated—

> "That the duty of supplying the inhabitants of a City with water has from a very early period been regarded as a peculiarly municipal function, and the supersession of the municipalities by Joint Stock Companies is a comparatively modern innovation, assuming the New River Company to be the earliest case in point."

I think that I may assume that the most essential conditions of water supply are four. One is a pure source of supply; the second is a constant supply; the third is a high pressure; and the fourth is a public control by means of a municipal authority. As regards a pure source of supply for this Metropolis, I think it has been sufficiently established by Royal Commission, and also by Committees of this House, that the sources of supply for water for the public are not of a proper or of a pure character. I mean with regard to the River Thames and the River Lea. I know that some people say that after the water has passed through a process of filtration, it is, in a certain way, pure enough for dietetic purposes—and then again the opinion of scientific people is strictly at variance with that opinion. I may quote here in proof of the statement the Sixth Report of the Rivers Pollution Commission, page 429, where they say—

> "We, therefore, are of opinion that the Thames should as early as possible be abandoned as a source of water for domestic use, and that the sanction of Her Majesty's Government be in future withheld from all schemes involving more capital for the supply of Thames water to London."

That is the Report of the Thames River Pollution Commission; and I go further still. In the Report of the same Committee with regard to the River Lea they say—

> "The water of the River Lea and its tributaries are polluted by town sewage, and also by refuse from manufactures."

And in the Sixth Report they say—

> "In our opinion, therefore, the Thames, indeed, ought to be abandoned as a source of Metropolitan water supply."

I think these quotations sufficiently prove that the sources of water supply are not of a pure, or a proper character. Now, we go to the water after it has passed through the filtering beds, and I find there is diverse opinion upon that. There is a Government Inspector, Dr. Frankland. He has given on many occasions most adverse criticism with regard to the purity of the water. I know that there are some who say that the water is of a proper and pure character, and they would naturally refer to some book which had been published by Dr. Tidy, and say that waters contaminated with sewage can be made pure. But I would ask the House what any hon. Member himself would do if the water supply of his own house was of an improper or impure character? Would he not take means to try and put that water in a proper and efficient condition? If that is applicable to individuals like ourselves, it is applicable to the community at large; and more especially is it applicable to a great and teeming population such as the City of London. I think that we ought to pay some sort of attention to the Report which Dr. Frankland issues month by month; and with the permission of the House—although I know they do not like to hear a speech full of quotations—I must in justice to myself give a few quotations, and trouble the House for a very short time. I can assure the House that I would not have brought the question on now if it had not been that I, as a private individual having no influence and no Government power, should have had no opportunity of any sort or kind of bringing this important question affecting the happiness and health of millions of our fellow-countrymen before the House if I had not taken advantage of the only opportunity which has been given to me on the present occasion. Now, with the permission of the House, I will read a few extracts from Dr. Frankland's Report with regard to the water which the Members of this House, with the rest of our fellow-subjects in London, have the good or the bad fortune, according to the views entertained, to drink. In the report of September, 1877, Dr. Frankland says—

> "The water from the Thames, supplied by the Chelsea, West Middlesex, Southwark, Grand Junction, and Lambeth Companies, was much more polluted by organic matter in September than in July or August."

And then he goes on to October. Now, this is really a special thing, and marks in an unusual degree the fact that the water, though filtered, no doubt, with the greatest possible care by the Water Companies, was generally of an improper character. He says—

> "That the River water supplied to London during the past month was of an unusually good character, while that abstracted from the Thames is fully equal to what is usually obtained from the Lea."

Then the Report of December, 1870, says—

> "The water drawn from the Thames by the Chelsea, West Middlesex, Southwark, Grand Junction, and Lambeth Companies, was much polluted by organic matter, some of which was of most objectionable origin; and although it was efficiently filtered by four out of the five Companies, it was quite unfit for dietetic purposes. The water from the Grand Junction Company was slightly turbid, and contained moving organisms. The water of the Lea, as delivered after efficient filtration by the New River and East London Companies, was also polluted, but to a much less extent."

I think I have established the position that very often, if not on every occasion, the water, although, perhaps, filtered with due care by the Water Companies, contains matters which I think a man must have a very curious feeling if he is anxious to drink much of. I may say that I was in "another place" last night, and I heard a distinguished Member of the House of Lords say, in reference to the Bill brought in in 1851, he was asked about the water, and his friend asked him what he thought he had better do, as his doctor had advised him to take water. He asked his friend if he should take water or beer, and the advice was to drink beer as the water was not good. I see that the hon. Member for Carlisle (Sir Wilfrid Lawson) is looking at me with his usual keen eye; I cannot help saying that I hope I may get his support to the second reading of this Bill, so that everybody in London may be able to get good water, and to have it whenever he likes to take it. Now, I think I have established that point; and the next is a constant supply at high pressure. I will not take up the time of the House by dwelling too much on these two points, because I think it has been established to the satisfaction of this House by Royal Commissions, by Committees, and everybody, that it is necessary to have a constant supply of pure water at every house; and it is also necessary for the purpose of protection of all houses in our cities against fire that this water should be laid on under proper and efficient high pressure. I do not mean the sort of high pressure, or what is called high pressure, which is given now in London by the various Companies; because I have no doubt the House is aware that out of the eight Companies they all vary—some are bound by Act of Parliament to give one pressure, some are bound to give another. I do not wish to say anything unfair of any of the Water Companies. I believe there is one Company—the New River—which has recently established a reservoir for the purpose of giving a better and a higher pressure, so that the water may be cast by the hydrant to the highest point of any house. I believe that has been carried out to a certain extent, and also by another Company, called the East London; but I believe most of the others have not got the high pressure with the constant service which will make it thoroughly and truly efficient; and I believe that is borne out by the Reports of the Royal Commissions, and by the Pollution of Rivers Commissions, that that cannot be carried out in any shape or form unless you have thorough unity of management—and I believe that unity of management has effected great benefit in the great cities of Manchester, Liverpool, and Glasgow. I want to ask the House that if it is found in these great centres of commerce and industry, that it was not found convenient to have one single Company giving out a water supply, is it not ten times more applicable in London where there is a greater population, where you find not one single Company, but eight different Companies, with eight different sorts of rules and regulations, in this Metropolis? Is it not much more necessary that the Metropolis should have one consistent management, under one municipal head, where everything will be carried on in a proper and efficient manner? I have heard that the Metropolis has been in some way agitated upon this question. But I think it is apparent to every hon. Member of this House that if the whole of these Companies should be united together in one consistent whole, with one management, you will save an immense number of directors' fees, and secretaries, and save a number of expenses which now exist, and which must swell in a very great degree the water rates. I have got one or two quotations with regard to placing the water under municipal authority, which I will, with the permission of the House, read. The Select Committee of 1867 recommended the duty of seeing

> "that the Companies properly fulfilled their duties; that that should be imposed upon the Metropolitan Board."

The conclusions of the Royal Commissioners were—

> "That no trading company should be permitted to levy or expend the compulsory rate; and, therefore, the future control of the water supply should be entrusted to a responsible public body, with power conferred on them for the purchase and extension of existing works, and the levying of the rates thereto."

On the same Commission an eminent engineer—Mr. Bateman—gives this evidence. He states—

> "He is so convinced of the great advantages which would result from the water supply being in the hands of a great Corporation, for the benefit of the whole Metropolis, that he would not advocate a scheme which did not include that idea."

And Mr. Duncan said—page 136—that his

> "experience most decidedly was in favour of corporate bodies in large towns having the entire charge of the water-works for the supply of the inhabitants."

Sir Joseph Heron, a very great authority, also says he thinks the experience they have had in Manchester has shown most clearly that the advantages are very great of having them under municipal authority. I will not weary the House with further extracts. I wish to condense my observations as much as I possibly can, and I will point out to the House another motive for purchasing the Water Companies. We all know how London extends from North, South, East and West. Every year a fresh drinking supply is laid on to every house for the purpose of providing water to the house, and the Water Companies are obliged periodically to raise fresh sums of money. What do they expect to get for these sums of money? Why, they expect, as we have heard from the various deputations to Ministers, to get 5, 6, and 7 per cent; and they are groaning because they do not get 10 per cent. We have heard complaints of the expenses. I say that the longer this necessary and inevitable measure is postponed, the more expenses will be incurred; and I think the House will agree with me that it is impossible for them to go on keeping the Metropolis supply always in the hands of private Companies. The longer this important question is postponed, the greater will be the expense to the ratepayers of the Metropolis. I do not want to say anything about the gentlemen who take care of the Water Companies. They manage their own affairs; but what I do say is this—that they look, and must look, and it is only fair that they should look, to the interests of their shareholders; whereas, a public body, responsible, as they would be, to the public interests—their business is to give a pure water, as pure as possible, to give of that water a constant supply at high pressure, and plenty of it, at the cheapest possible rate; and if any benefit should accrue from extending the limits of London, which must accrue, and does accrue year by year, to see that these benefits should be placed in the pockets of the Metropolis and not in the pockets of the shareholders of any private Company. As regards the price, I know that some have complained, and from their point of view they have justly complained, about the manner of the purchase. But in the Bill there are provisions for arrangements with every Company; arrangements for the purchase of their works on fair and equitable terms; and if the Water Companies cannot see their way to agree, supposing this Bill passes, to the fair and equitable terms of the Metropolitan Board as the Municipal Authority proposes, why the matter will go, as in every other purchase, to arbitration, and the arbitrator will take everything into consideration; and in this case, after he has given his decision, an addition of 10 per cent extra will be given, and the purchase will be completed. I do not wish to take up the time of the House further than to say that if they will allow the second reading of this Bill, and allow it to go to a Select Committee, for which I shall move, and if I get my second reading, I think that Committee will consider the other Bill with regard to the fresh supply to the Metropolis; and I hope that Committee will not only do justice to the consumer, as I am certain they will do justice also to the Water Companies of the Metropolis. I beg to move the second reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir James M'Garel-Hogg.*)

Mr. SAMUDA: I move as an Amendment that the Bill be read a second time this day six months. I have listened to the speech of the hon. and gallant Baronet who has just sat down, and I cannot discover a single argument for the measure that he has proposed. There are two most important Bills with which we have to deal in this matter. The one that is before us at the present moment is called the Metropolis Water Works (Purchase) Bill; but there is another Bill to which the hon. and gallant Baronet has referred, and which he desires to couple with it; and if he can succeed in getting the House to read this Bill a second time, he proposes to take them together in Committee. This second Bill is called the Metropolis Water Supply Bill; and we have this most extraordinary proposal to deal with—that the Metropolitan Board of Works come down and ask us to allow them to absorb the Water Companies, who are performing the duties for which they have obtained the sanction of Parliament; and, at the same moment that he asks us to allow the Metropolitan Board of Works to absorb the Water Companies, he appears before us in the character of another Company seeking to compete with them, and to lay down fresh water-mains all over the Metropolis. I will deal with the second scheme presently; but I will first pass in review the scheme which we have before us at the present moment. By this scheme, as I have said, he asks us to allow the Metropolitan Board of Works to purchase the whole of the water-works of the Metropolis. Now, first let me point out what that involves. The Metropolitan Board of Works have, at the present time, jurisdiction over an area of 120 square miles, and he asks us to sanction their becoming the proprietors of, and having a jurisdiction over, the whole of these water-works, which reach over an area of 520 square miles; so that it is not only the water-works of the Companies that, on the part of the Metropolitan Board of Works, he asks power to acquire; but that that body should have jurisdiction outside the Metropolis over four times the extent of the area over which they now exercise jurisdiction. In addition to that, there is another body—namely, the Corporation of London, which is within the area which he wants to absorb; and he asks that the City should get water from the works which would be under the management of the Metropolitan Board, instead of getting it through the New River Company. Now, the hon. and gallant Baronet has called the attention of the House to what he terms the state of the water; but I think I can satisfy the House that the quotations which he has made require a great deal of correction. And, first, I would observe that the Water Companies, as they exist at the present moment, are by no means what might be termed independent bodies, for under the Acts of 1852 and 1871, they have become amenable to Government control. They are under the control of the Local Government Board. There has been appointed under those Acts a Water Examiner, whose business it is continually to keep a record of the state of the water, and the quantity of water that is being supplied. There are also Auditors appointed, who have to take the greatest care that the accounts of the Companies are carefully made out and accurately furnished, and that their dividends are not in excess. By the Act of 1871, so much care has been taken of the public that it is enacted that, wherever it is required, a constant supply shall be given by these Companies, and that hydrants shall be supplied by them where they are required by the local authorities. I may mention that a great deal of obstruction has been thrown by the Metropolitan Board in the way of these hydrants being supplied. But, passing that by, I may remark that, in addition to this, there are exceedingly heavy penalties, amounting to as much as £200 per week, to be imposed upon the Companies if they fail to comply with the duties and obligations they have incurred under the statutory obligations imposed upon them. They have been called upon, from time to time, materially to improve the sources from which they take the water for the Metropolis, and they have improved them to the extent that, instead of being, as the hon. and gallant Baronet would represent to the House, liable to be blamed for their neglect, they should be praised. By the Act of 1852, all the Companies who drew their water from the Thames were required to improve their sources of supply by taking the water from points higher up the river. That has been done. In 1867 there was a Public Committee, presided over by a late Colleague of mine, Mr. Ayrton, a very painstaking man; and I think the present President of the Local Government Board was a Member of that Committee; and, therefore, there were men on the Committee who were well able to thoroughly investigate the matter, and in whom this House would have confidence. This is one of the Committees from whose Report the hon. and gallant Baronet, who moved the second reading of this Bill, quoted extracts, in order to show that the water was not that which it should be; but the Committee say—

> "We are satisfied that both the quantity and the quality of the water supplied from the Thames are so far satisfactory, that there is no ground for disturbing the arrangement made by the Metropolitan Water Works Act of 1852, and any attempt to do so will only end in a waste of capital, and unnecessary charges on the owners and occupiers of property in the Metropolis."

That, I should submit, is a proper answer to the hon. and gallant Baronet. But, in 1869, there was a Royal Commission, presided over by the Duke of Richmond, and they say in their Report that—

> "After examining the schemes for the supply of water in the Metropolis, there is no evidence to lead us to believe that the water now supplied is not generally good and wholesome."

Then, in 1871, there was another Parliamentary Inquiry, which resulted in the passing of the Act by which an Examiner and Auditors were to be appointed. Well, now, by virtue of these Acts, not only have the Government authority over the Companies, but the Medical Officers of Health have to report from time to time, and I have in my hand a Report of Dr. Tidy's for a period of 10 years. After referring to previous analyses, which justified the Report of the Commissioners, he says—

> "Let me, however, submit that the question is simply this—Is the present water supply to London pure and wholesome?"

Now, that is the very thing we have to consider. Here we have an outside authority coming in and speaking on this point. After making some other observations, he says—

> "And here I venture to state very broadly, that the analyses justify me in the assertion that the water supplied to London—the healthiest City in the world—is as excellent in quality as it is liberal in quantity."

Now, I do not think, after such a statement as this, that the Water Companies can be fairly charged with not having fulfilled the duties imposed upon them. Let me say a word with regard to the Companies themselves, and then I will deal with the other questions. The Companies are in this position. Many of them have been formed for 100 years and upwards, and the returns during the early periods of their existence were of the most miserable description. To give one single instance, which I know better than the rest—that of the Kent Water Works Company, who have been established about 70 years. In the first 40 of these 70 years, the dividend averaged only a trifle more than 1 per cent — it did not amount to 1½. It has since risen, and I think it is now 8 per cent. That is a representative case; and if you take all the Companies through, I believe that their average earnings at the present moment are less than 8 per cent, though, by the Acts of Parliament, they may divide as much as 10 per cent. But the hon. and gallant Baronet comes down and wants to purchase these Companies when they have turned the corner, and, after great difficulties, have arrived at an ordinary amount of earnings. Then the hon. and gallant Baronet deals with the question of economy, and asks the House to believe that the transference of these Companies to his Board would result in economy to the consumers. Nothing of the sort. I think I can satisfy the House that it would result in exactly the opposite. In the first place, I would point out that the income of the whole of the Companies is £1,200,000 a-year—I mean in round numbers. Of that, £750,000 goes for dividends, and £450,000 for expenses. Well now, to purchase these Companies—to purchase them fairly and properly, even the hon. and gallant Baronet will not deny, will take at least £25,000,000. It cannot be otherwise; £12,000,000 of money has been spent by these Companies, and the market value of that £12,000,000 represents the sum I am speaking of—£25,000,000. The plan of the hon. and gallant Baronet is an extremely ingenious one. He proposes first to compete with them, and reduce their dividends, and then buy them up. But I am quite sure he will not get Parliament to sanction that. But this is not all the money he wants. According to his own account, he must spent £5,000,000 more on the works to be constructed, in order to enable him to compete with the Companies. Four per cent on £30,000,000 — and I do not think he is likely to get the money for less—will require £1,200,000 a-year for the interest, which will absorb all the present income at once, and there is nothing for the expenses, so that the Metropolis would have to pay the whole of the working expenses in addition to the present rates that are now charged. At the present moment the expenses of the Companies amount to nearly £500,000 a-year; and, if he is going to lay down an additional entire set of pipes, he cannot do it for the present expense, but will have to add half as much more; so that the annual outlay will be £750,000. And when I tell you—and I am sure the House is prepared to expect it—that the works which he proposes to carry out, instead of costing £5,000,000, will cost probably not less than £10,000,000—it will turn out that the Metropolis will be mulcted to the extent of twice the amount that at the present moment it pays to the Water Companies, whose functions he desires to supersede, but of whose business he really knows nothing. He attempts to justify his proposal by pointing to what has taken place in handing over the provincial Water Companies to provincial municipalities. But this is a case so totally different, that you cannot compare the two things. Take a very large provincial municipality—take Manchester, for instance. Why, that represents in the whole about one of these eight Companies; and, therefore, you cannot compare these establishments with those of provincial towns; and when an establishment has grown to the size that some of these Companies have, it must be fully maintained, and any interference with it will not result in economy of establishment, or in substituting any management nearly so good as that now existing, and, instead of doing good, will do harm. But I cannot leave this subject without referring to what is of considerably more importance, and that is their new works scheme. Now, a more crude, undigested, and impracticable scheme has never been put before the public. I will endeavour to explain what this scheme is. It is a proposal that the Metropolitan Board of Works should be empowered to go into every water-works district, to invade those districts, and to rob them of their customers. Under the guise of philanthropy to the public, they are asked to throw themselves into the hands of the hon. and gallant Baronet and his Board, that they may deal with them in any way they may think fit. Now, the Kent Water Works differ from the other Water Works, in that they draw the whole of their supply from chalk wells. They have a large district, and they have several pumping-stations. They have a district for which they require 11,000,000 gallons a-day; and if the population of their district goes on increasing at the same rate that it has done—and it is probable it will not be less, but greater —in 10 years or so they will require not 11,000,000, but 16,000,000 of gallons a-day. Now, the proposal of the hon. and gallant Baronet is to draw from these wells 16,000,000 of gallons a-day for the supply of the Metropolis. I will show how absurd that proposal is. They propose to get 6,000,000 on the North side and 10,000,000 on the other; at Grays, the wells are known to be in conjunction with the river, and from increased pumping alone, the water will be so contaminated that it will not be fit for use. But, dealing with the case only on the South side, where they propose to obtain 10,000,000, the Kent Water Company will shortly require 16,000,000. The whole of their collecting wells only yield, at the present moment, 20,000,000; and therefore it follows that, if you take the water at all, you must rob the Kent Water Company. But that is not the only difficulty that you have. When the hon. and gallant Baronet has obtained this quantity of water, he proposes to supply the houses of the Metropolis with a double service of water. One of the supplies is to provide for drinking and for extinguishing fires, and the other is for anything else. I should like to know who has the management of his house in that state of control that he could restrict his servants as to which tap they should take the water from? As they are requiring and using at the present moment 35 gallons a-head a-day, and as 16,000,000 gallons would only be two gallons a-day for every person, it follows that, instead of 16,000,000, he would require an enormous deal more than he has provided; and, as I have shown, he has not the means of getting even the modest amount that he speaks of getting, it follows that his scheme is impracticable and unworkable; and as this scheme is the only scheme on which the proposal for purchase rests, it follows that if the one falls the other must fall with it. But I would urge that there are reasons altogether apart why we should not pass this Bill. It does not appear to me that the Metropolitan Board of Works are the right body to be entrusted with this authority. Part of my argument is that these waterworks should not be purchased by any local authority; but, apart from that, I say that the Metropolitan Board of Works were established for a totally different purpose, and that no justification for the course that is proposed has been shown. I recollect that in just the same way it was asked to be allowed to raise another £35,000,000 to buy up the Gas Companies. On that occasion—I hope I may have now the assistance of the Chancellor of the Exchequer as I had then—on that occasion the Metropolitan Board opposed a Bill to get some additional capital for a large Gas Company at the East End, and spoke of it as if it was almost their property. Well, I appealed to my right hon. Friend opposite, and the answer I got from him was practically this—the right hon. Gentleman told me that the Government had in no way and in no sense committed themselves to the Metropolitan Board as the right authority for taking the Gas Companies over. I maintain that they have no justification for making this proposal either, seeing that they were appointed for a different purpose. Lastly, I would urge upon the House, that if it should ever become necessary from the increase of London, to seek for an additional supply of water, that their plan proposed is futile and that we shall have to bring the water from one of the Lake districts. Under such circumstances, I can imagine that the House would entrust that undertaking to some large central municipal authority, which may by that time be created; but, giving the authority asked for to the Metropolitan Board now, would only increase the difficulty of dealing with the question satisfactorily then. For all these reasons, I hope that the House will reject this Bill. I do not want to go further. I wish to avoid wearying the House; but my anxious desire is that the House should reject this Bill on the second reading; because, as I have endeavoured to show, and I hope I have shown, that the Metropolitan Board of Works are not the right body to have this matter entrusted to them, and they have made out no case on which they can show that a public benefit would result. The hon. Gentleman concluded by moving the Amendment.

Mr. Alderman COTTON seconded the Amendment. At that very late hour he would add nothing to the exhaustive speech of his hon. Friend the Member for the Tower Hamlets (Mr. Samuda), except to say that he quite agreed with him that the Metropolitan Board of Works was a very ambitious body, constantly endeavouring to assume to itself all kinds of functions and move its neighbours' landmarks, and who consequently were not the right body to have the control of the water supply of the Metropolis. Instead of sinking wells in the chalk formation all round London, he would advise them to leave well alone, and confine themselves to the purposes for which they were appointed.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Samuda.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. CHARLEY said, the Bill was one of great magnitude, and it was impossible to discuss it at that hour. Therefore, he moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Charley.*)

Mr. GOSCHEN trusted if the debate were adjourned the matter would not be brought up again, unless there was sufficient time to discuss it. The speech of the hon. Member for the Tower Hamlets (Mr. Samuda) showed that this was no trifling Bill, which could be discussed in the course of half-an-hour, between 12 and 1 in the morning; but a measure of very great importance indeed.

Sir JAMES M'GAREL-HOGG said, he thought, in justification to himself, he should ask the House to recollect he was only a private Member, and as such he had great difficulty in bringing on the subject, and therefore he must take what opportunities offered to him. He acknowledged that was a great question, and he hoped for that reason the Government would take the Bill into their favourable consideration, and give him a day in which to discuss it.

Mr. FAWCETT said, he thought his right hon. Friend the Member for the City of London (Mr. Goschen) was somewhat hard in his observations. He blamed the Chairman of the Metropolitan Board of Works for bringing on the Bill at so late an hour. The right hon. Gentleman had great experience of the Forms of that House; and he would ask him to give the Chairman of the Metropolitan Board the benefit of his experience, and suggest to him how he could have had a more favourable opportunity, unless he got the assistance of the Government. He (Mr. Fawcett) had not formed a strong opinion at all on this Bill; in fact, he had not told his constituents, and not one of them knew in the least degree how he should vote; and, he might add, that he had not the slightest interest in any Water Company. But the real question just now was this—This matter was left entirely in the hands of a private Member, because, although the Chairman of the Board of Works was the Representative of a great Corporation who were responsible for the government of the Metropolis—["No, no!" *and* "Yes!"]—yes, as far as Water Bills were concerned, were responsible for the government of the Metropolis—["No, no!"]—then what other municipal body was? It was perfectly well known that all great works in the Metropolis were committed to the Metropolitan Board of Works. He thought that that body might be much amended in its constitution; but, practically, all great public works in London had been carried on by them during the last 10 years; and if the Chairman of that Board, or some other body, did not take up questions of this kind, what would be the position in which the Metropolis would be placed with regard to its future supply of water? They all knew the cogent resistance that was offered to every Water Bill, or anything attempted to be done in the interest of the ratepayers in the Metropolis. They all knew perfectly well that the Chairman of the Metropolitan Board had not one whit more influence or power to bring his Bill on than the most insignificant Member of the House. They all knew perfectly well the kind of resistance offered to Bills by private interests that considered themselves affected; and he trusted, therefore, that if the debate were adjourned, it would not be without some understanding with the Government that the Chairman of the Metropolitan Board should be afforded facilities for bringing on the Bill again. Every Wednesday to the end of the Session was fully taken up, and there was no chance whatever of its being brought on on a Wednesday, and very little chance on a Tuesday. Monday, Thursday, and Friday were Government nights, and, therefore, this measure could not be brought on on any of those nights. He admitted that a measure of this importance could not be discussed at 1 o'clock in the morning; and yet it ought to be discussed. It was a matter of vital importance, affecting the health of the Metropolis; and if the debate were adjourned that evening without the Government giving an undertaking to the Chairman of the Metropolitan Board that they would assist him to bring on this important Bill on some other occasion, the people of the Metropolis would be virtually told that this subject had been shelved for this Session. Exactly the same fate would await every Bill of the kind that might be brought in for the next 10 years; and, therefore, there would be no chance of this important question affecting their health, and, consequently, their happiness, being considered—the question whether the water supply should be left in the hands of the present Companies, or whether it should be entrusted to some representative body of the ratepayers of London? Of course, it was impossible that they could decide on the merits of this Bill after such a discussion as they had had, and he had no doubt that the debate would be adjourned; but he strongly urged the Government, and he thought he had a right to press it, as representing one of the most populous Metropolitan constituencies, to give some undertaking to the Chairman of the Metropolitan Board of Works that this great and important subject should not be shelved; but that they would render him some assistance in bringing it on again, so that a matter so important to the population of the Metropolis should receive due consideration.

MR. SHAW LEFEVRE said, as his right hon. Friend the Member for the City of London (Mr. Goschen) could not speak again, he wished, on his behalf, to assure the Chairman of the Metropolitan Board of Works that he was quite aware of the difficulty, and, indeed, the almost impossibility of bringing on a measure of this kind without the assistance of Government; and his right hon. Friend wished to say that he hoped the hon. and gallant Gentleman would have the assistance of Government in bringing it on again at a time when it could be thoroughly discussed. For his own part, he was distinctly favourable to this measure. He believed it would be for the interests of the public that the Water Works should be put under one representative body. Whether that body should be the Metropolitan Board of Works was another matter. He thought that was a question that might fairly be discussed in Committee; but the principle of the Bill, that the water supply should be in the hands of a public representative body, he thought should be affirmed. These were his views, and he should like to state them at greater length—when the Bill came on again; but he would now press on the Government the importance of naming some not very distant day for the discussion of this measure, and that they should give to the House some indication of what their own opinion was. Looking at the importance of the question, he thought that the Chairman of the Metropolitan Board was entitled to ask the Government to give him a day on which he could bring on the Bill again, as without that assistance he would be totally unable to do so.

THE CHANCELLOR OF THE EXCHEQUER said, he had heard it sometimes said that the public had an idea that the Consolidated Fund might be drawn upon to any extent, and that its resources were illimitable; and something of the kind seemed to prevail with regard to the amount of time that the Government had at their disposal. Now, he must protest on behalf of the Government that the time at their disposal by the Rules of the House was by no means too large, indeed, was not large enough for the work they had to accomplish, with Supply to get on with, and the Bills they had introduced, they had not such a preponderance of days that they could afford to find one for the discussion. They had already had to promise days for one or more measures, and they would now have the greatest possible difficulty in giving a day for the discussion of any Bill not a Government Bill. No doubt, this measure was a very large and important one, and deserved full consideration. Of course, if the Government undertook to bring in a measure dealing with the subject, they would have to find time for it; but they were not at present able to undertake the responsibility for this measure. If the Bill went on, the Government at the proper time would express their views of the difficulties in the way of the proposal; but, as the matter now stood, they could not hold out a hope that they would be able to find a day for it.

SIR ANDREW LUSK said, the hon. and gallant Member for Truro (Sir James M'Garel-Hogg) had received but scant justice that night for the labour he had undergone in bringing forward that large and most important measure. The supply of water to the Metropolis was a question well worthy the attention of the House; but his hon. and respected Friend the Member for the Tower Hamlets (Mr. Samuda) seemed to treat the inhabitants of London unworthily, as if they were sheep and cattle to be bought and sold. His hon. Friend wished to continue the monopoly of the Water Companies, who dealt out water as they pleased, would not let them get it for themselves, and charged them what they chose, treating the people of the Metropolis, in fact, as if they were their property. He objected to that altogether, and thought the Metropolitan Board of Works was taking a very wise course in introducing this Bill at the present time. The first great drought, when they would find the present sources of supply fail them, would teach them the necessity for measures of precaution like this; and show that they must make further provision for the supply of water to the 5,000,000 people in the Metropolis. The longer it was delayed, the worse it would be, and it was the duty of Parliament to consider the serious position they were in. The hon. and gallant Member for Truro only asked that this Bill should be sent to a Select Committee in order that it might be dealt with there, and he thought that ought to be agreed to.

Motion *agreed to.*

Debate *adjourned* till *To-morrow.*

POOR LAW GUARDIANS, &C.

Select Committee *appointed,* "to inquire into the system under which Guardians of the Poor and Members of Local Boards in England and Ireland and Members of Parochial Boards in Scotland, are at present elected; and to report whether it is desirable to make any, and, if so, what change in such system; and also, whether it is desirable to extend the term of office for which Guardians of the Poor and Members of Parochial Boards are now elected." — (*Mr. Hibbert.*)

And on March 20, Committee *nominated* as follows:—Mr. SALT, Sir THOMAS ACLAND, Viscount EMLYN, Sir ARTHUR MIDDLETON, Mr. ABEL SMITH, Mr. SANDERSON, Mr. HUTCHINSON, Mr. HANBURY, Mr. O'CONNOR POWER, Mr. PHIPPS, Mr. GRAY, Mr. PELL, Lord EDMOND FITZMAURICE, Mr. MARK STEWART, Mr. RAMSAY, Colonel NAGHTEN, and Mr. HIBBERT:—Power to send for persons, papers, and records; Five to be the quorum.

BOROUGH FRANCHISE (IRELAND) BILL.

On Motion of Mr. MELDON, Bill to assimilate the Parliamentary Franchise in the Boroughs of Ireland to that of the Boroughs in England, *ordered* to be brought in by Mr. MELDON, Mr. BUTT, Mr. MAURICE BROOKS, and Mr. GRAY.

House adjourned at a quarter after One o'clock.

HOUSE OF COMMONS,

Wednesday, 13th March, 1878.

MINUTES.] — Public Bills — *Resolution in Committee — Ordered—First Reading*—Watch Cases (Hall Marking) * [128].

Ordered—First Reading—Patent Law Amendment * [127].

Second Reading—Capital Punishment Abolition [19], *put off;* Assistant County Surveyors (Ireland) * [51], *debate adjourned;* Threshing Machines * [97].

Withdrawn—Queen Anne's Bounty * [15]; Borough Franchise (Ireland) * [20].

ORDERS OF THE DAY.

CAPITAL PUNISHMENT ABOLITION BILL—[Bill 19.]

(*Mr. Pease, Mr. Leeman, Mr. M'Laren.*)

SECOND READING.

Order for Second Reading read.

Mr. PEASE, in rising to move that the Bill be now read a second time, said: Sir, during the last Session of Parliament I obtained leave to bring in a Bill to Abolish Capital Punishments; that Bill I was obliged to withdraw; I had to submit to the fate which so frequently attends the best efforts of private Members. The Bill, the second reading of which I now have the honour to move, is a transcript of that of last Session. But, Sir, a debate on the subject of capital punishment took place on the Motion of the hon. and learned Baronet the Member for South Warwickshire (Sir Eardley Wilmot), who moved that

> "it is desirable to consider whether the laws, under which offenders are liable to capital punishment, should not undergo revision."

To that Motion I ventured to move an Amendment, in which I endeavoured to embody the principle of this Bill. Sir, I cannot for a moment complain of the manner in which my hon. Friend's Motion or my Amendment was discussed, in a debate which only commenced at 9 o'clock. After that discussion, I had at one time almost concluded to allow this question to remain dormant so far as this Parliament was concerned; but, on reading the speeches delivered on that occasion by the Legal Advisers of the Crown, I felt that the arguments which they used were of such a character, that it was my bounden duty to take the first available opportunity of showing on how slender a foundation their arguments were really based. In addition to this, fresh information came into my hands during the Recess, bearing directly on this subject. During the month of November, 1877, we had what might be called a "Bloody Assize"—executions took place as follows:—Monday 19th, Old Bailey; Tuesday 20th, Norwich; Wednesday 21st, Exeter; Thursday, 22nd, a holiday; Friday 23rd, Dollgelly; Saturday 24th, a holiday; Sunday 25th, a holiday; and Monday 26th, 3 at Leicester; making a total of 8 days, in which occurred 7 hangings; so that I trust the House will bear with me for a short period, whilst I venture again to urge upon it the reasons which I deem ought to lead it to an amelioration of the character of our penal laws. On the last occasion, I endeavoured to show that whilst I did not deny the right of the State under certain circumstances to take away human life, there had been a most marked change in the treatment of criminals in our own and in all civilized lands; and that it was for the benefit of the State, that that right of taking human life should be no longer exercised. I showed that whilst only 50 years ago we hung 2,000 people per annum; that whilst, in 1832, we hung as many as 1,000 a-year, that in 1839 it was reduced to 39; and that, during the last 16 years, the average had been 24 a-year; that this mitigation of law and of sentence had been accomplished with property quite as secure, and human life quite as sacred. I tried to show, and I think I completely succeeded in showing, that capital punishment had been abolished in various countries and States, without any increase, but almost always with a marked decrease, in homicidal crime. I think I also proved to demonstration that there was no difficulty in dealing with those life-prisoners. I would observe, with regard to the misapprehension of attacks on warders by life-sentenced prisoners—first, that nearly half of the murderers now sentenced to death are imprisoned instead of hung—they do not attack warders — and secondly, Captain Knight, formerly Governor of Portland and Portsmouth Convict Prisons, declared—

> "I am firmly convinced from my own personal experience that almost all serious and successful assaults on prison officers arisefrom negligence or carelessness on their own part, or from want of what has been termed 'individualization,' or study of the individual character of the prisoners; so that many of them are placed in situations and at work from which they should have been carefully excluded. The danger of successful assaults on officers will be absolutely nothing under a judicious management."

I showed that the Royal Commissioners who sat in 1864 were unanimous for a change in the law—such a change as is now advocated by the hon. and learned Baronet the Member for South Warwickshire—that that change has never been effected; and I also showed that one-half of that Commission, 14 years ago, were in favour of the total abolition of the gallows. I also endeavoured to show how the Royal prerogative was exercised—not in the way of stepping in between the gallows and a manifestly unjust execution; but in mitigation of a sanguinary law, according to the discretion of the Home Secretary. I think I also showed that, in the opinion of all competent judges, the deterrent effect of a punishment was just in proportion to its certainty, and the death penalty loses its effect from the very uncertainty in which it is involved—an uncertainty which arises entirely at our natural dislike to it. It which Judges and Juries have shrunk, cannot be denied that it is one from and will shrink, and that it is left to the Home Secretary to determine whether the gallows or the gaol shall be the fate of the condemned. Well, Sir, admitting that the State has a right to take away life, the question naturally arises—under what circumstances should that right be exercised? Certainly, only when its exercise has the effect of making other lives, or that which is of equal value to life, more secure. The experience of other countries who have tried it has proved—and I have no doubt in the world that the experience of this country would prove—that capital punishment does not make life any more secure. The sentence is no longer deterrent; in fact, by making human life a less sacred thing, its effect is rather to reproduce that which it would destroy—regardlessness of human life. Since this subject was before the House, we have had some very remarkable instances of the fact that it is not deterrent. At the Liverpool Assizes, November 3rd, 1877, Thomas Mullen and Mary McCrave were sentenced to penal servitude for the manslaughter of John Talbot, in September last, by kicking. It is a very remarkable circumstance that each of the two prisoners had had a brother hanged at Liverpool for the crime of murder by violent kicking. Thomas Mullen's brother and Mary McCrave's brother were hanged, together with a third criminal, in 1874, at Liverpool, for killing a man in Tithebarn Street, by kicking! Further, on June 21st, 10 men were hanged, in Pennsylvania, for murderous conspiracies. That morning's issue of *The New York Herald* predicted "a wholesome effect" of this "terrible lesson," and added the positive assertion—

> "We may be certain that the pitiless severity of the law will deter the most wicked from anything like imitation of their crimes."

Vain prediction! The night following the execution two of the witnesses in the case were murdered. And before July 5th, five of the prosecutors had been murdered. A leading United States journal complained, in July, that "the recent executions appear to have been of no avail," and the local "depredations seem to be more strongly marked than ever." It is added that since the 10 men were hanged others are missing; numerous armed body-guards surround the mines, and "there is an atmosphere of terror throughout that section of the State." Sir, the hon. and learned Gentlemen (the Attorney General and the Solicitor General), in spite of the many instances I showed to the contrary, denied that the horror of this sentence stood in the way of Judges and juries doing their duty; but, Sir, here is a very recent example. A case occurred at the Maidstone Spring Assizes last year, which afresh illustrates the tendency of the capital penalty to promote the escape of the guilty. A soldier named John Parker was sentenced to 15 years' penal servitude for killing his wife. But the Judge, in passing sentence, told the prisoner that—

> "He could not doubt that it was 'only the natural hesitation which men felt to condemn others to death' which had saved him from a verdict of wilful murder."

But, Sir, the reluctance is not confined to Judges and juries. It naturally runs through all orders of the people. I saw the following statement in all the newspapers a few months ago:—

"The Under Sheriff for Merioneth has experienced considerable difficulty in carrying out the preliminaries for the execution of Cadwallader Jones, for the murder of Sarah Hughes, at Dolgelly. The Home Secretary has replied to the Petition, refusing to interfere with the course of the law. When the Sheriff applied to several local carpenters to erect a scaffold within Dolgelly Gaol, they refused one and all. Application was then made to other local builders; but these refused, in turn, to have anything to do with the preparations for carrying out the last dread sentence of the law. Recourse was then had to a Chester carpenter, who had fulfilled a similar service for the Governor of Chester Castle. Having made the scaffold, he forwarded it to Dolgelly, and there all the carters positively refused to cart it to the gaol. It was then taken on to Penmaenpool Station, further away, to the residence of the Under Sheriff, who, after considerable difficulty, induced one of his labourers to convey it to Dolgelly. Marwood arrived at Chester from Nottingham on Wednesday afternoon, stopping there for the night. Yesterday morning he left Dolgelly by the 9.10 express."

A London journal states—

"We strangle a man, after due preparation to render him fit to die, and therefore he might be permitted to live; or we strangle a man when he is not fit to die, and should therefore be permitted to live out his allotted term of life. Meanwhile, the people of Dolgelly have taught us a lesson likely to be useful, for no respectable man should have anything to do with so hideous a business as an execution by strangulation."

It is added that our Colonies share our difficulties, as shown by the following extract from a private letter:—

"I have had the disagreeable task of witnessing the execution of Woodgate. It created a little excitement in the place, and the Pictonians distinguished themselves as usual on the occasion. The tradesmen all refused to build the scaffold, or make the coffin, or even to sell the materials required for these purposes. Of course, no one in the district would hang Woodgate. Mr. Goulter, as Sheriff, did not manage matters well. He engaged a hangman in Blenheim; but he allowed the man to come through to Picton the day before the execution was to take place. Everyone knew what he had come for, and no one would admit him into their house. He could get neither food or lodging, so he went back to Blenheim by the afternoon train, and refused to perform the duty—that is, the execution. Woodgate's execution was fixed for Wednesday morning at 8 o'clock. When the time came, there was no one to do the work. The execution was put off until another man could be found. The sentence had to be carried out within seven days from date of the receipt of warrant by Sheriff. Mr. Goulter had about one day and a-half to find another man, or, failing this, he would have had to hang Woodgate himself. The Sheriff telegraphed to Wellington, asking them to send a man. They replied that they could not find one in time; he, therefore, was in a fix. He at last found a wandering fellow who tramps about all over the Colony. He was brought to Picton in the middle of the night on Wednesday, and I was routed out at 4 A.M. on Thursday morning with the message that the Sheriff and the executioner were at the gaol, and that Woodgate was to be hung at 6 A.M. that morning. I went; the doctor, clergyman, and gaol officials on duty knew of it. The Government steamer arrived from Wellington soon after the execution was over, with another hangman sent specially, with a detective to take charge of the hangman. The steamer left again directly, taking away the pair of hangmen to Wellington. My firm conviction is that Woodgate was guilty of the crime charged against him, and he deserved his fate. He made no confession."

When a feeling like this is manifested towards a punishment, it is high time it was abolished. It cannot last long. It is having the very reverse effect of that which was intended—it is bringing public sympathy towards the convict convicted of the most horrible of crimes; and it takes it away from the detestation which would ever be evinced towards the murderer. It is not only in our own country that this is the case. The following case is sent me from Sweden:—

"Baron Olivecrona writes that the tomb of one of the men executed in Norway in 1876 was, for some weeks after the execution, strewed with flowers every morning by the people, and the police were at last obliged to interfere to forbid this, as well as the erection of a monument to one of the murderers, who had made a deep impression on the assembled multitude by his brave and manly demeanour."

Thus does capital punishment tend to render crime heroic, and to produce sympathy for the murderer rather than for his victim. I endeavoured last year to urge that fallible tribunals should not inflict, if it could be avoided, a sentence which could never be recalled; and I think I proved that sentences had been often passed on innocent persons. Let us now look at some of the sentences of last year. *The Pall Mall Gazette* of February 11, 1878, reports the following remarkable and instructive case:—

"A man in the northern part of the province of Rio Janeiro has confessed upon his 'deathbed' that he was the real author of the murder of a family of eight persons in 1852, for which a wealthy planter by name Motta Coqueiro, and three of his slaves were executed in 1856. The murder was one of peculiar atrocity, and the house in which the victims lived was set on fire after the crime had been committed. Suspicion having fixed itself on Motta Coquiero, he and

> three of his slaves supposed to be implicated were arrested and brought to trial. The evidence was very weak; but so strong was the feeling against the planter that the jury found him guilty, and the Court of Cassation at Rio confirmed the sentence of death. He and his friends strenuously asserted his innocence; and when it was found hopeless to obtain his acquittal, every possible effort was made to induce the Emperor to grant him a pardon. It is even said that sums amounting to 250,000 dollars were promised to persons around the Empress, to induce them to enlist her sympathies on behalf of the condemned man; and thus, by means of her intercession with the Emperor, to attain the object in view. All, however, was in vain. The Emperor was firm; the Empress declined to interfere; the Government sent a vessel of war to Macahe to prevent any attempt at rescue; and Motta Coqueiro and his three slaves were executed for a crime which it now turns out they never committed. The man who lately died acknowledged that he, assisted by some of his dependents, deliberately murdered all the inmates of the house, which they afterwards burned. The doubts which arose as to the justice of Motta Coqueiro's fate and of those who suffered with him, after their execution are supposed to have raised an uneasy feeling in the Emperor's mind; and he has since, it is stated, shown 'a great disinclination to allow sentences of death to be carried into effect.' The tardy confession of the real murderer is not likely to diminish his reluctance."

Mr. Alfred J. Taylor, Librarian of the Tasmanian Public Library, Hobart Town, writes, under date April 28, 1877—

> "The Rev. Julian T. Woods told me last year that within the previous 10 years—in the course of his ministration as a missionary in Australia —two persons on their deathbeds confessed themselves guilty of crimes for which others who were innocent had been executed."

I also recently saw in *The Times* the following history :—

> "Remission of Sentence.—The Home Secretary has remitted the sentence passed upon James Runnette, furnaceman, who was sentenced by the Whitehaven magistrates to three months' imprisonment for assaulting a policeman. Constable Black was taking another man into custody, when he was kicked. Runnette was among the crowd, and the constable and a sergeant said he was the man who kicked. After Runnette was imprisoned, his case was taken up by several persons; and Mr. Atler, solicitor, drew up affidavits of witnesses, and sent them to the Whitehaven magistrates. An informal inquiry was held, and the magistrates thought that if the evidence then heard had been tendered when the case came on, they would have given the prisoner the benefit of the doubt which it raised, and they advised the Home Secretary that the remainder of the sentence should be remitted. No blame is attached to the police."—[*The Times*, February 22, 1878.]

At the Liverpool Summer Assizes, August, 1877, three men named Greenwood, Jackson, and Wild, were charged with rape on a fish-hawker's wife at Burnley, on July 1. They were found guilty, and sentenced by Mr. Justice Hawkins to 10 years' penal servitude each. In sentencing them, the Judge—reports *The Daily News*—

> "expressed both a 'thorough approval' of the verdict, and a doubt whether he ought not to make the sentence 20 years."

But, subsequently, circumstances came to light which so satisfactorily proved the innocence of all three men that, in November, after a quarter of a year's imprisonment, the Home Secretary granted them a "free pardon;" and they were released, with the "perfect concurrence" of Justice Hawkins, as he declared at the Northampton Assizes in November. But, Sir, perhaps no part of this subject has had so much general attention during the Recess as the manner in which the prerogative of mercy is exercised on behalf of the Crown by the Home Secretary. Sir, it is no longer the exercise of a prerogative, in the ordinary meaning of that term; but it is a fact that all death sentences are thus reviewed; and in the case of about one-half of all the death sentences, the law as regards capital punishment is virtually repealed. I have not yet got the statistics of 1877; but I think we may presume there is no change in this matter. Our Australasian Colonies are in even a worse condition than ourselves. In the 11 years from 1864 to 1874, out of 453 sentenced to death, 330 were reprieved and 123 hung. The detailed figures are as follows :—

	Sentenced to death.	Hanged.	Reprieved.
Tasmania	32	6	26
Victoria	96	38	58
Queensland	21	18	3
New South Wales	141	35	106
South Australia	13	4	9
New Zealand	150	22	128
Total	453	123	330

So that nearly three-fourths of the criminals sentenced to death in the Australasian Colonies escaped the enforcement of the penalty prouounced! These figures apply to 11 years—1864 to 1874 inclusive. But, returning again to our Home Secretary and his duties, let us look for a moment at what is known as the Penge case. In this case, we had two men and two women tried and convicted of the wilful murder of the wife of one of the male convicts. The Jury found a verdict of guilty of wilful murder, but recommended the two female prisoners to mercy. Mr. Justice Hawkins used the following language in passing sentence:—

> "Louis Adolphus Edmund Staunton, Patrick Llewellyn Staunton, Alice Rhodes — After a long, patient, painful, and anxious inquiry, you have been found guilty, by a jury of your country, of a crime so black and hideous, that I believe, in all the records of crime, it would be difficult to find its parallel. With a barbarity almost incredible, you plotted together to take, by cruel torture, the life of a poor, outraged, innocent woman; and, although you do not to-day stand convicted of the crime of having murdered her helpless child, I cannot help feeling satisfied within my own mind that you are guilty of the crime of contemplating and plotting and having brought about his death. . . . . I do trust you will make the most of the short time that remains to you here on earth to attend to the ministrations of the reverend gentleman who, during your confinement, will render you all the assistance in his power to enable you to meet your God."

It is no part of my case to discuss that trial or the sentence. It is part of my case, however, to show that Judges are fallible; that they are men, and may act with much unwisdom; and that a fallible Judge ought not to administer an irrevocable sentence. Well, Sir, a few days after this awful sentence, a Court of Inquiry was held at the Home Office. The sentence of death was not carried out. One prisoner was set at liberty, three were sent to penal servitude. These people were either guilty, or not guilty, of doing wilfully that which led to the death of that unfortunate woman. If they were not guilty, why are they in gaol? If you are going to have penal servitude for life for those who neglect their relations, your gaols will soon be full enough. If they were guilty, as declared by a Jury of their countrymen, why were they not hung? Because the Home Secretary dare not face public opinion on capital punishment, or his own feelings of right and wrong on the question. There never was a case which more completely showed the nature of the death penalty. The law was not taken into consideration. The prerogative of mercy was made to cover the retreat from a conviction which public opinion would not back, because of the character of the penalty; and, worse than this, the penalty changed public opinion from horror of the crime into sympathy with those who were manifestly guilty. It is impossible, Sir, that such a state of things is to be continued in a Constitutional country. Instead of being governed by wise and righteous laws, we shall be governed by the backward and forward flow of public opinion; and Her Majesty's prerogative of mercy will be the means by which the man in the street, or the writers in the Press, regulate the operation of the law! And now, Sir, I desire, with the permission of the House, to look at some of the arguments used by the hon. and learned Gentlemen (the Attorney and Solicitor General) in defending the continued use of the gallows. Both hon. and learned Gentlemen admitted it was difficult to debate this subject in the short space of time necessarily allotted to the debate. But my hon. and learned Friend (the Attorney General) admitted that the present law was not on a satisfactory footing. That, Sir, is admitting that it ought to be altered. We have, therefore, travelled to the half-way house together. Admit that it must be altered, and either my hon. and learned Friend must take his stand with the hon. and learned Baronet the Member for South Warwickshire, or he must proceed the whole journey with me. I believe that he will find the difficulties of the hon. and learned Baronet's Motion so great, that he would soon be led on to total abolition. The hon. and learned Gentleman remarked that the murderer had more time to prepare for death than his victim. The bearing of this upon the question I fail to see—it was hardly used as an argument. This is not a question of revenge; we all object to the slaughter of the victim; and what we want to do is to deter others from doing what the murderer has done, and to prevent the murderer again committing that offence. Then the hon. and learned Gentleman insisted—and quoted Shakspeare — that the highest penalty we could put before a man was forfeiture of his life. Sir, I can only point to the experience of facts—that the gallows is not a deterrent. To-day I have adduced new facts. The hon. and learned Gentleman denied that Judges and Juries were influenced in their action by a knowledge of the law. If he is not convinced by the facts I cited, I would ask him how he accounts for the fact that 14½ per cent of murderers are found insane, whilst insanity only affects 1 per cent of the rest of the criminal population? Or how can he account for the fact that out of 84 committals for murder in 1875, only 15 people reached the gallows; whereas, in any other criminal proceeding, about 65 would have paid the penalty awarded by law? The hon. and learned Gentleman then asked how many more murders would be committed if capital punishment were abolished?—and he alluded to the temptation to the robber and the ravisher to put away the witness and victim of his crime, knowing that the sentence for rape and murder would be alike. The reply to this is, that the sentence would not be the same. Penal servitude for life for rape is seldom heard of, and it would be subject to those regulations which now prevent it being actually a life sentence; whilst a life sentence for murder would be so in all senses in which the term can be used. Another argument is, that the abolition of the penalty has in other countries had the tendency to make life more sacred; and if those whose passions lead them into these crimes calculate consequences at all, they are more deterred by the certainty of penal servitude for life than they are by the death penalty, encompassed as it is with uncertainties. Then the hon. and learned Gentleman argued that, if capital punishment were abolished, it involved a revision of the whole scale of penalties enacted by the present law. But, Sir, this argument, also, perishes before the facts. About one-half of those now convicted of murder have this penalty attached to their crime, and no inconvenience has arisen from the fact. The number of those who are sentenced for life is very small, being as follows:—In 1871, 4; 1872, 14; 1873, 8; 1874, 16; 1875, 16; 1876, 13. But, as I have already said, there is no difficulty in distinguishing between penal servitude for life and for a whole life. Now, Sir, I come to to the hon. and learned Solicitor General. The hon. and learned Gentleman had read—I think somewhat hastily—the speech of my excellent Friend, Mr. John D. Lewis, delivered when he was Member for Devonport. The hon. and learned Gentleman argued that in Tuscany the law had been altered and re-altered; that capital punishment had to be re-imposed; but, Sir, we have still the fact that since 1846 there has been no execution, and I am told no increase of homicidal crime. I have endeavoured to get the statistics, but have not fully succeeded. But, Sir, I established the fact that in Tuscany, without capital punishment, there is less murder than in the rest of Italy, in proportion to population. Then, Sir, the hon. and learned Gentleman touched on Portugal, and adopted a very curious line of argument—that we were not to compare Portugal with capital punishment to Portugal without capital punishment; but Portugal without capital punishment to England with. Did the hon. and learned Gentleman read the Report of the Portuguese Committee of Legislation on this subject? It is as follows:—

> "Before all things, and above all things, punishment ought to be reparable, seeing that absolute infallibility cannot be predicated as a quality inherent to human nature. The Judge may err, and does err; the jury may err, and do err; evidence may err, and does err; and it would be quite enough that there should only be liability to err, for it to be never right to condemn anyone to the punishment of death—that is, to a punishment that is completely irreparable. The legal murder of the innocent has been many times repeated. Sovereign equity and infinite impeccability are not essential inborn qualities in any human tribunal."

The same Report gives the following statistics:—Portugal Report of Legislative Committee. In 1851, 278 homicides occurred; in 1852, 288; in 1853, 255; in 1854, 224; in 1855, 173; making a total, for the first five years, of 1,218. In 1856, 162 occurred; in 1857, 152; in 1858, 139; in 1859, 146; in 1860, 142; making a total, for the second five years, of 741. That is to say, the crime has decreased from 12 per cent to 5 per cent, as compared with the total amount of crime committed against persons. The fallacy of such an argument is so plain that I do not propose to occupy the attention of the House by its refutation. Then the hon. and learned Gentleman quoted the Canton of Freibourg, where capital punishment was abolished from 1848 to 1874, and re-imposed; but, Sir, it was only re-imposed for five months; and the hon. and learned Gentleman must have forgotten that, in 1874, it was again abolished in Freibourg and in the whole Swiss Federation. The facts are these—

"No execution in Canton Freibourg since 1848—30 years. The penalty of death was abolished in 1848 in Freibourg. It was restored in 1874; but continued in re-imposition only for five months, owing to the abolition of capital punishment in all the Cantons of Switzerland by the new Federal Penal Code. During the five months of nominal re-imposition in 1874, no execution took place. The latest Returns official from Freibourg are for 1876-7, when the total number of trials for homicidal crimes, and attempts to murder, and for infanticide, were seven; but 12 years previously, in 1864, they were six."

The hon. and learned Gentleman sat down with these remarkable observations—

"This fear of death accompanied most men through all their lives; and if a criminal thought that a murder would be followed by the chance of his sudden death, without that hope of reconciling himself to Heaven, the desire of which haunted all men, the House had to consider whether the intending criminal would not be more likely to pause, if the State had a right to put him to death, and if the State, in his case, were armed with the terrors of a future life."—[3 *Hansard*, ccxxxiv. 1712.]

Sir, it is a doctrine which I feel sure my right hon. Friend the Home Secretary will repudiate. I am one who fully believes in an overruling Providence; in a Being, by whose permission the Home Secretary discharges his onerous duties; by whose will the hon. and learned Gentleman sits in his place of honour and of trust; by whose act I, a humble Member of this House, have my right to be heard here—but the terrors of a future life are not entrusted to man; they are His and His alone. Sir, I have alluded to the able speech of my hon. Friend Mr. John D. Lewis on this subject; Mr. Lewis, like the hon. and learned Attorney General, wanted an alteration of the law. He, too, like the hon. and learned Attorney General, denied the hesitation of Judges and Juries. I think I have already proved my position in this matter; but the natural argument is enough—will not the feeling of dislike to a penalty always temper the feeling of duty? Mr. Lewis declared that in the United States of America there was no inclination to continue or increase the districts where there is no death penalty. Why, Sir, in the very year in which he spoke—1874—Illinois abolished capital punishment; and in 1876, Maine followed in the same line. The other arguments in Mr. Lewis's speech I have already replied to; they referred to lynching and the murder of gaolors. I have shown that the lynching belongs to the capital-punishment States — that prisoners did not murder their jailors. One other speech I must refer to, and that is that of the late Mr. J. S. Mill. I confess that his stand-point and mine, on all those things which regulate a man's dealings with his fellow-man, are so entirely different, that I cannot follow his argument. If I thought that a vicious man could be shot and buried as a vicious horse, or hung up by the neck and destroyed like an unsafe dog—and that that was the end of him—then I might, perchance, agree with Mr. Mill, who said of the murderer, "Blot him out of the fellowship of man and of the catalogue of the living." I should like, Sir, for a moment to show what is the position of other countries to this punishment. As regards the United States, the hon. Marvin H. Bovee, ex-Senator for Wisconsin, writes, November 23rd, 1877—

"We stand in this wise in the United States. There is total abolition of capital punishment in Michigan since 1846; Rhode Island, 1852; Wisconsin, 1853; Iowa, 1872; Maine, 1876.

"In the following States there is no capital punishment unless the jury unanimously recommend it—namely, in New York, Indiana, Illinois, Minnesota, Louisiana.

"In the following States, upon the conviction of a murderer, he is sent to the Penitentiary for one year prior to execution, after which he may be executed, upon the warrant of the Governor, it being optional with the Governor whether he will or will not issue the same. This is a practical abolition; for, so long as the criminal is well-disposed in the prison, the warrant is never issued. The following are the States maintaining said law:—Vermont, New Hampshire, Kansas."

Mr. Bovee adds—

"Thus you will perceive that there are 'thirteen' States of the Union which have either unconditionally, or practically, abolished the gallows."

The following is a general list of the other countries and States where capital punishment has been abolished or discontinued:—

"Tuscany (Italy), no execution since 1830.

"Russia. [For about 125 years, since the reign of the Empress Elizabeth, A.D. 1750, capital punishment has been abolished for all but political crimes, with the exception of a very few of the worst cases of murder. But these executions have been so rare that, practically, and generally speaking, it may be said that capital punishment has been abolished—and with good success too—in this vast Empire, for a century and a quarter.]

"Holland, totally abolished by law in 1870; but no executions since 1860.

"Switzerland, totally abolished 1874. [After the previous successful experiment of abolition in several cantons—namely, for twenty years in Neuchatel, seven years in Tessin, and five years in Zurich.]

"Portugal, no executions since 1846.

"Roumania, abolished in 1864.

"Belgium, no execution since 1863.

"Saxony, no execution since 1868.

"Oldenburgh, Nassau, Weimar, Wurtemburgh, Baden, practical discontinuance of capital punishment since 1870.

"Prussia, practical, or at least general, discontinuance since 1870.

"Germany, high treason and murder of the first degree.

"In Austria, capital punishment has been, in the great majority of cases, discontinued; and, says M. Wahlburg (Imperial Councillor), 'the trade of the executioner is, here, in its last throes.'"

Official statistics in Sweden show that—

"The King of Sweden, following the humane example of his illustrious father, Oscar I., had for several years abandoned executions, the law remaining unaltered. The occurrence of several murders of peculiar atrocity, in 1875, caused an outcry for renewed executions, to which the King reluctantly yielded. But it appears that the actual statistics of murder in his Kingdom do not warrant any panic; for a Judge of the Supreme Court of Sweden, Baron Olivecrona, and the United States Ambassador at Stockholm, His Excellency C. C. Andrews, have forwarded to the Howard Association the following official Return of sentences of murder for the past ten years respectively (1867 to 1876) in Sweden—8, 9, 8, 15, 7, 7, 8, 11, 7, 13; and for Norway, for nine years (1867 to 1875, the latest issued)—2, 4, 0, 3, 1, 1, 4, 0, 4. The only executions in the above years were, in Sweden, 1 in 1872, and 2 in 1876; and for Norway 1 in 1868, and 3 in 1876."

Now, Sir, I want to ask, in conclusion, is there any man bold enough to say that, for the security of human life, the gallows are any longer a necessity? It is proved beyond all question that they are not any longer required for this, their main object. I repeat again, that our law, as it at present stands, is the most sanguinary in the great countries of the civilized world. You appointed a Committee of wise and able men 14 years ago to inquire into this subject — the only portion worth naming of all that they recommended you to do that you have carried out, is to strangle your convicts in a private enclosure before a few gaol officials and sensational reporters; and you made this change because this punishment, which is to convince the wicked of the sacredness of human life, was proved, when carried out in public, to be a miserable, an immoral, and a contaminating spectacle. Has there not been a very marked change, not only in the character of your penal laws, but in the character of the punishments they inflict? With an increasing population, and a better police, the convictions of crime have steadily diminished. Look at the pictures of your gaols as drawn by the able pen of the late Dr. Doran in his *London under the Jacobites*—read it in the annals of the Lives of Sir Fowell Buxton, Mrs. Fry, and Joseph John Gurney—picture what it will be under the able attentions of my right hon. Friend and his very able and assiduous Colleague—and I think that changes in law, changes in times, changes in public opinion alter these penalties. Ere long we shall have a much better classification of prisoners — a matter which will, in my humble opinion, soon bear its fruits in a diminution of crime. With classification, we shall have much more attention paid to the reformation of prisoners; and even the worst classes will come under the enlightened and blessed influence of those who will point them to the errors of their way. Sir, I have amongst the papers sent to me a letter from an English lady now visiting the United States, who is well acquainted with the state of our prisoners. She says she visited a convict prison at Indianapolis. An English matron is at the head of this. The building cost £20,000; it contains 200 prisoners and 52 convicts. This lady, after describing the manner in which individual influence is brought to bear upon the minds of the inmates, says she spoke to the convicts; after she left the room, she was told that four of these women were murderesses, who were there for life, but whose changed characters had a marked influence on the other inmates. Then, Sir, I think I may ask whether the day has not arrived when these more barbaric penalties should give way to more civilized ones; especially when, I think, it must be conceded that with the more civilized penalty, human life would be quite as secure; conviction would be more certain; and the penalty being more certain, it would be much more deterrent. The sometimes fatal error could not occur. Again, Sir, I would thank the House for having heard me. I resume my seat with the firm conviction that, however little my humble efforts may have contributed to that result, that if this Bill is not read a second time this day, the day is not far distant when a Bill for the abolition of capital punishment will be assented to within these walls. The hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Pease.*)

MR. GRANTHAM, in rising to move that the Bill be read a second time that day six months, said, let it not be assumed that he was there to say anything in defence of the maintenance of the law in its present form without any alteration whatever. He held that some alteration in the law ought to be made; and he was surprised that, after the inquiries that were made, and the Report issued in 1864, and the subsequent Report issued—he thought, in 1874—the question had not been taken up in some definite form, and an attempt made to give effect to those Reports. But the House was now called upon to decide on a very different question from that involved in the Reports. It was now proposed that the punishment of death should be at once and for ever abolished. He could well understand that some minds, on abstract principles, would be in favour of abolishing capital punishment, because to them the aversion to take away the life that God had given, was so strongly impressed upon them as to override all other considerations; but the law of the land—and a law which had existed ever since this country had been subject to the law—ought not to be tampered with, except after the greatest consideration. He was sure the House would agree with him that before such an alteration was made, it behoved the advocates of it to bring forward conclusive arguments in its favour; but, so far, they had utterly failed to comply with this condition. He agreed that it was a question for public opinion; but if the hon. Member appealed to the country, he would find that public opinion was not ripe for the change he proposed, even if it ever would be. Of course, if they treated this as an abstract question, many men would be found naturally inclined to the side of mercy, desiring to save life in every way in their power; but he believed, if the matter were put to the vote of the people of this country, a large majority would decide against the abolition of the penalty of death. The reasons given and arguments used by the hon. Gentleman for the alteration proposed, seemed to be the best justification for the law as it stood. His hon. Friend—if he understood him correctly—had admitted that, in certain cases, the State had a right to take away life; and, having admitted that, he ventured to say that in cases where a person had intentionally taken away the life of another, some argument ought to be brought forward to show that the State had not the right to take away his life. Indeed, the hon. Gentleman's argument had convinced him that in the extreme cases which sometimes unfortunately arose, the State was justified—nay, it was bound—to carry out the extreme sentence of the law. The hon. Gentleman's argument in favour of the abolition, because there was no chance of an appeal or a revocation of a sentence after death, where a mistake had been made, was answered by another argument that he used—namely, that only a small proportion of those sentenced to death were executed. [Mr. PEASE: One-half.] Well, this showed that there was no necessity for altering the law, because the care taken by the Home Secretary and the Judges was such that no one was executed who was not clearly shown to have been guilty of the crime calling for that penalty, and not a single instance could be found in this country in recent years of anyone having been executed wrongfully; although, in less serious cases—as in the case at Manchester—mistakes did sometimes occur. Objection was taken to the execution of the law on the ground that it seemed to be done on the principle of revenge. It was no more revenge than any other punishment was, and if punishment was to follow crime, then it was only a question of degree. Another argument was the alleged uncertainty of the law. He denied the alleged uncertainty as to the action of Juries; who, though he admitted they had often shown themselves slow to convict for infanticide, yet did not hesitate to do their duty in cases of murder from fear of the sentence being carried out. The verdict of the Jury in the Penge case told against the hon. Member's contention in regard to that; because there was a case of a Jury convicting under the practical ruling, and, certainly, approval of the Judge, when it was afterwards considered that there was no evidence against one of the condemned prisoners. [The hon. and learned Gentleman then referred to the opinions and experience of the Judges, as gathered from their evidence given before the Select Committee, and which was set out in the Reports on the subject.] As to the alternative of imprisonment for life, it should either be shown that the accused ought not to die, or that his incarceration for life was for the good of society. But, *cui bono?* What good could he do himself or society, immured in a prison? The argument for doing away with the punishment would be more difficult to meet if it were proposed to limit the period of confinement, that the offender might have some opportunity of making reparation to society or the friends of the murdered person. Admitting freely, however, that the subject required to be dealt with, he hoped it would be taken up by the Government before long in a general Act, in order that the liability to hanging for constructive murder might be taken off the Statute Books. With regard to the Welsh case, quoted by his hon. Friend, it only showed that a few carpenters in a certain town were opposed to capital punishment; and he had entirely failed to show that public opinion generally was in favour of its total abolition. With regard to the references which had been made to the law as it existed in former times, when sheep stealing and other offences of a less heinous nature than that of murder were punished with the penalty of death, he thought it would be found that none of the good and great men who advocated the mitigation of the law, as it then existed, were in favour of the proposal that the punishment of death should be altogether done away with. Romilly, and men of his time, advocated confining the punishment of death to the more serious offences; and, although the punishment of death did not stop these lighter offences, yet it was not the abolition of it which lessened their number, but the greater precaution taken by an improved system of police to prevent crime and to apprehend criminals. As to the way in which the law might be altered so as to, as far as possible, meet the objections of his hon. Friend, he thought it was to be regretted that at present there was practically no appeal, in the ordinary sense, in the case of murder; for the Court of Criminal Appeal was only for decisions on questions of law raised by the Judge. He could not see why there should not be an appeal by right on all questions of law to a strong Court, as the Court of Appeal was at present constituted. He thought, also, there should be a right of appeal on questions of fact as well as on questions of law; and not, as at present, an appeal merely upon a matter of law in cases where the Judge had some doubt. In cases of such importance as of life and death, there should be an appeal to a Court, consisting of two or three Judges, and not so numerous as the Court for Crown Cases Reserved. On questions of law, let it be as of right; on questions of fact, let the prisoner apply for a rule *Nisi* in the first instance. There was one alteration he would like to see effected in the law at once, and that was, the definition of legal malice; and if that law was altered, but very little other alteration would be needed. Murder was defined by Sir James Stephen as being homicide with malice aforethought. The constructive interpretation of malice, however, was the intent to commit any felony whatsoever; so that if a man intended to commit a minor felony, and in doing so took away life, having no such intention, he would be guilty, in the eye of the law, of the crime of murder. That was too wide an interpretation; but, if it were altered, and in future were to be considered as "unjustifiable homicide from malice aforethought," there would, in his opinion, be no case for the abolition of capital punishment; and he should be glad to assist in making such an alteration as he had indicated; but to the entire abolition of capital punishment he could not assent. He begged to move the rejection of the Bill.

Sir GEORGE BOWYER seconded the Motion.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Grantham.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. O'SHAUGHNESSY thought no argument had been shown by the hon. and learned Gentleman opposite (Mr. Grantham) why the proposal of the hon.

Member for South Durham (Mr. Pease) should not be adopted, and capital punishment altogether abolished. He (Mr. O'Shaughnessy), however, agreed with the hon. and learned Gentleman in his opinion that there ought to be an appeal not only on points of law, but on points of fact. There was one point which deserved much consideration, and that was the standard to be set up for the measurement of punishment in cases of murder. The object and end of every punishment was, in the first instance, to deter others from following the example of the malefactor; and, in the second place, to endeavour to reform the malefactor himself. It was undeniable that capital punishment defeated the latter object, and it could be shown, he thought, that it did not effect the former. It was not likely that they would reform themselves; and believing, as he did, that it was the injustice and abuses of society that produced the malefactors, unless there was a paramount necessity shown for getting rid of an offender for the purpose of deterring others, he (Mr. O'Shaughnessy), for one, believed that they, as the governors of society, were bound, in the interests of civilization, not to alter the standard of our law, but to endeavour to reform criminals. There was another object which, whether consciously or unconsciously, undoubtedly weighed upon the human mind, and that was the spirit of retaliation. This was not admitted at all by law, but it very often weighed in considering the punishment of a malefactor. No one, however, pretended to defend that spirit, and it was only by a wish to repress crime that we should be guided. Now, was the punishment of death necessary for the reformation of criminals? If not, the infliction of such a punishment could only be justified by the spirit of retaliation. What was our experience as to the effect of the punishment of death in deterring persons from the commission of the crime of murder? The experience of this and other countries pointed out the result. Formerly we inflicted the punishment of death for many minor crimes. We had ceased to inflict that punishment, and such crimes had not increased in number. On the contrary, they had rather diminished. Now, what would be the effect of the removal of the punishment of death in cases of murder? The punishment of death had had no great effect in the case of minor offences, and what assurance had we that it would have any greater effect in deterring persons from the commission of the crime of murder? Other countries had abolished the punishment of death for murder, some by legislation and some by practice, and the result had not caused an increase in the number of murders in those countries; and the experience of our country and that of other countries did not negative the proposition of the hon. Member for South Durham. Now, with respect to the nature of the punishment, it had been spoken of as uncertain; and, in connection with that argument, he would say that the motives which led a man to steal or to commit burglary were generally deliberated on, while the temptation to murder was generally suddenly presented and given way to. If, however, the murderer was an intending criminal, he knew that there were many persons in the country who objected to capital punishment, and that he might count on having one person on the Jury who held that opinion—that even the Judge who tried him might, without knowing it, be influenced by that opinion—and that even if he were convicted, he would have as his final chance the inevitable Memorial to the Home Office. A good deal was talked about the expense of the Broadmoor Lunatic Asylum; but it was the very horror of this punishment of death which made Home Secretaries, Judges, and jurors so ready to admit the theory of insanity which had sent to that Asylum many criminals who were not at all insane. Something had been said in reference to the Penge case. He regarded that case as the most melancholy example of our jurisprudence that could possibly be produced. Public opinion had been strong—perhaps unreasonably strong—against the accused parties; but, after sentence, that opinion took an opposite direction, and, if the accused had been put to death, they would have been executed as the result of a gust of indignation which afterwards changed, and declared that they did not deserve to suffer such a doom. Now there would not be that uncertainty if a minor punishment awaited the criminal. He did not consider the punishment of death such a strong deterrent as an imprisonment of 20 years would be. It was said that the punishment of death was necessary for the sanctity of human life. But he did not think that it had such an effect; and, so far from promoting the safety of human life, it influenced a man under strong temptations to commit offences. There was in the history of capital punishment one fact which bore on the face of it its own condemnation. What had been the result of public executions? A man was sometimes glorified if he defied the law. But, apart from that, in former days men were executed on the site of their crime, and proclamations were issued calling upon the populace to attend the ceremony in order that the scene might have a beneficial effect. But, so far from that being the case, these sights attracted a crowd of such a disgraceful character that an alteration was made in the law, and executions now took place in private instead of in public; and the fact was that such a deterrent had no real effect when accompanied by the scenes to which he had referred. There was also this anomaly in the law—that a man who said he objected to the punishment of death was allowed to stand aside and not serve as a juror; but thereby the law, in effect, said to him that his objection was a reasonable one. The Scriptures were sometimes relied on as an argument in favour of capital punishment; but all that they proved was that in certain cases and in certain stages of society there was the right to take away the lives of some of its members. The question in this case was whether it was wise and necessary to inflict the death penalty, which had been most largely practised in those days when society was most disorganized, when the laws were set at naught, and when anarchy prevailed. Now, he submitted that the experience of this country and of foreign countries proved that it was not necessary to do so. Was it not fair to say, when they found capital punishment receiving its fullest development in those terrible times, that society ought to look with great caution on the exercise of a penalty which took its origin from something very base and dangerous in our nature? No doubt the Old Testament encouraged capital punishment, and there could be no doubt that the New Testament did not forbid such punishment. But we had means of deterring from the commission of crime which did not exist in former days. He did not assert that capital punishment was forbidden by the Scriptures; but he submitted that they ought to hesitate, in the altered circumstances of the times, in carrying out such punishments. They ought to abandon entirely that spirit of retaliation which was taught to the community, because it was wrong from the philosophical and from the Christian point of view. They ought to test carefully the circumstances of the age under which they lived, and see whether, under those altered circumstances, the punishment of death was necessary for murder. The spirit of retaliation, which ought to be removed from their minds, had been at the root of much of their criminal experience; and, if they did this, they would come to the conclusion that no damage to the community would arise by putting aside capital punishment.

Sir GEORGE BOWYER said, he was sure that everybody, inside the House or outside it, would be very happy if they could see their way to the abolition of capital punishment; but the question was, whether it was possible to abolish it with due regard to the safety of society and the preservation of human life. While he disliked the punishment as much as anyone, he admitted that that punishment could only be justified by necessity, and he believed that far too much sympathy had been wasted on murderers by members of the humanitarian school. During the past few months they had read with comparative indifference from day to day of the slaughter on the battle-field of thousands and thousands of brave and honourable soldiers; and yet people were greatly moved at the idea of hanging a man who had taken away the life of a fellow-creature. More money had been spent on the means of destroying human life than, he believed, on any other object or thing. Only the other day they heard of £7,000,000 sterling having been expended to obtain the best means of constructing ordnance. What did that mean but increasing the means of destroying human life? What a boon it would have been to thousands of families if the Chancellor of the Exchequer had that sum to apply to the reduction of taxation. In considering the question, they ought to disembarrass it of the humanitarian view, and look upon it as a question of practical politics and civil government. Those who advocated the abolition of capital punishment dealt largely in statistics; but what he complained of was, that they had not quoted any to prove that in those countries where punishment of death had been abolished there had been any diminution in the number of the cases of murder. He believed they could not produce them, as it was contrary to common sense to think that such could possibly be the result of such a measure. If they meant to argue that because murders did not cease altogether, that therefore capital punishment was ineffective and ought to be abolished, they might as well say that all punishments should be done away with, because, notwithstanding they were inflicted, crime still continued to exist. There was no doubt that capital punishment had a deterrent effect; and he well remembered going the evening before to the place of an execution—that of the Mannings—two notorious criminals—at Horsemonger Lane some years ago, and overhearing a man, evidently belonging to the dangerous classes, say to several others—"If it wasn't for this"—meaning hanging—"I knows many a chap as would think no more of taking a man's life than of eating his breakfast;" and everybody standing round him expressed their assent." He had no doubt himself that what the man said was perfectly correct, and to his mind it showed, at any rate, that the penalty of death had decidedly a deterrent effect. His hon. Friend opposite (Mr. Pease) had spoken of the times when the punishment of death was inflicted for offences short of murder. In the days of George III. many men were hanged for forging £5 notes. Afterwards the punishment was reduced, and he confessed that, at the present time, forgery was much less frequent than when its commission was punished with death. But why was it reduced? Simply because Juries would not convict, and the Bank of England accordingly represented to the Government that they were not protected; it was necessary, therefore, to find some punishment for which convictions could be obtained. But Juries had not refused to convict for the crime of murder—indeed, in the Penge case, the Jury decided rather too hastily. There was no reason, therefore, why capital punishment should be abolished on these grounds. The whole law of the country with reference to homicide was in a most unsatisfactory state. It had departed from the old lines of the common law; and the doctrine of constructive malice, which was contrary to the spirit of jurisprudence in all other countries, had been introduced into it. He agreed with the hon. and learned Member for East Surrey (Mr. Grantham) that much was to be said in favour of the establishment of a Court of Appeal in cases where sentence of death had been passed; for, as Blackstone had pointed out, the present law granted an appeal in a miserable question of a small amount of money, but refused it when the life of a human being was at stake. He thought that if cases could be brought before such a Court, it would be much better than bringing them before the Home Secretary; and he considered it most unconstitutional that the Home Secretary should undertake to overrule and set aside the decisions of Courts of Law. This had been done in many cases. For instance, in the case of Regina *v.* Watson, the issue before the Jury was whether the prisoner was insane or not. The Jury found that he was sane, and that he was guilty of wilful murder. But the Home Secretary reversed the finding of the Jury in substance, and decided that he was not guilty on the ground of insanity. But the Commissioners of Lunacy found him sane. The creation of a Court of Appeal would do away with the Home Secretary undertaking a duty which was no part of his office, and which he ought never to have been called upon to perform. At present that appeared to be a necessity; but the sooner other and Constitutional means were found to review the decisions pronounced in Courts of Criminal Law, and especially sentences of death, the better. He had himself introduced a Bill dealing with the subject, which would, he hoped, receive the careful consideration of the House. That Bill, by providing a Court of Appeal, would confine the Home Secretary to his Constitutional function of advising the Crown in the administration of the prerogative of mercy. With regard to the experience of other countries in which the death penalty had been abolished, they had at present no satisfactory data. It was true that capital punishment had been abolished in Tuscany by the Grand Duke Leopold; but there was no better country in which such an experiment could be made, as the inhabitants were a gentle and industrious people. He would, however, remind the House that a case occurred last year in which a man went to Florence for the purpose of murdering his wife. He was tried and convicted, and after his conviction he said that, knowing there was no punishment of death in Tuscany, he had taken his wife there in order that he might murder her. So that if the system of capital punishment had not been done away with there, the poor woman might have been living now. He believed that private executions had a more deterrent effect on criminals than public executions, because they were wanting in excitement—the murderer being hanged in the presence of a very few persons, instead of in the sight of a large crowd. He would only conclude by submitting that they did not possess sufficient statistical information to enable them to deal with the matter; and was of opinion that until that information was obtained, things ought to be allowed to remain as they were at present.

Mr. LEEMAN said, the question might be stated to narrow itself into one point—namely, had the punishment of death a deterrent effect? He (Mr. Leeman) had had some experience of criminal law for nearly half-a-century, and had long ago arrived at the conclusion that the punishment of death in cases of murder had not had that deterrent effect. He remembered 14 men being hurried to the scaffold behind the Castle of York in one day for rioting, and men were executed in large numbers at each assizes in his younger days for horse stealing, rape, forgery, and other crimes which were then punishable by death. Even those wholesale executions, however, had no deterrent effect; and he believed the same was the case with reference to the crime of murder. There had been many cases in which men ought to have been punished in some way, but who had escaped altogether. In the county of Durham, in the course of three recent years, 15 men had been executed, and where, he would ask, was the deterrent effect there? While it remained Juries would feel reluctant to convict men indicted for murder, and even weak-minded Judges would do all they could to favour the escape of the accused even when perhaps there could be little doubt of his guilt. If, then, they wanted to secure certainty of punishment, let them first of all abolish a system which created so much uncertainty as was attached to the punishment of death. The Motion certainly was intended to preserve the sanctity of human life; but it did not propose that murder should go unpunished, or that the criminals should be let loose again on society; but that those who took man's life should until the end of their own life pass all its remnant within the walls of a convict prison. The author of *Penal Servitude, by One who has endured It,* recommended that the punishment for murder should be penal servitude for life carried out to the bitter end. He (Mr. Leeman) held that there was much more certainty of deterring from murder by making imprisonment for life the punishment, with absolute certainty of the penalty being exacted, than by sentencing men and women to be hanged. By abolishing the punishment, the country would simply be going forward in the progressive march of civilization which began with the century. As had been stated already, the abolition of the death punishment had been going on in other countries for a good many years; and was it to be supposed that if that abolition had not been found successful, the death penalty would not have been revived? The Secretary of State had been glad to interfere when he possibly could on the ground of the prisoner being insane; but as he (Mr. Leeman) thought capital punishment should be done away with altogether, he should support the Bill.

The ATTORNEY GENERAL (Sir John Holker) said, he had listened with much interest and pleasure to the speech in which the hon. Member for South Durham (Mr. Pease) moved the second reading of the Bill, mainly because he had dealt with the subject with calmness and argument. The matter was one of so much difficulty and nicety that it must be approached, if there was hope of profitable discussion, with dispassionate reason and inexorable logic rather than with elaborate rhetorical phrases. Instead of that, however, in the course of the discussion, several hon. Members had drifted away from the real question —that of continuing the punishment of death—into a consideration of the present condition of the law relating to homicide in this country, as to whether it was capable of amendment or not. For himself, he had studied the question with great care, and he was constrained to admit that, in many respects, that law did not stand upon an altogether sound basis. There were many circumstances under which a man might be pronounced guilty of murder when he should not; and a great deal of difficulty and mischief had arisen from the over-free use in our law of the word "malice," and from the different constructions which had been put upon it. According to the strict law of England, as it now stood, if a man in the commission of a felony killed another he was guilty of murder, although the death might have been entirely accidental and unintentional. So, again, if a man resisted arrest, and, in endeavouring to escape, should trip up a constable in the lawful execution of his duty, and cause his death, that was technically murder. He himself thought that these were not cases of murder, and should not be held to be such by law. In his opinion, no man ought by the law of a civilized country to be punished capitally, unless he deliberately took away life, or did an act calculated to take away life, or intended to do grievous bodily harm, or was utterly indifferent to the consequences of his act, and death resulted in each case. Or, perhaps, he ought to add, cases in which the offender had taken away life by some act calculated to destroy life without absolutely intending to do so, but with absolute indifference whether it did or not. As for instance, if a man fired a barrel of gunpowder under a room full of people, he would be guilty of murder, although he might not intend to kill any particular individual. He (the Attorney General), however, did not think that any act of less atrocity should subject a man to a conviction for murder. The law, too, as regarded women charged with infanticide was in an unsatisfactory state; and convictions for murder could rarely be obtained against a woman who, suffering under great bodily and mental anguish, caused the death of her new-born child. It ought, therefore, to be largely modified, and it would be better if the law left it open to a Jury to find a verdict not of murder, but of some lesser character. He also agreed that the law was defective, and in an unsatisfactory state, in that it did not permit an appeal in criminal cases. It was certainly astounding that whereas a man who in a civil action had a verdict given against him for some £20 or £30 had a right to apply for a new trial, he should not have a similar right in a criminal case involving his life or his liberty, on the ground of a mistaken verdict. He thought it would be well if, subject to certain limitations imposed for the purpose of preventing the Courts being overwhelmed with such applications, a person convicted of a crime were permitted to apply, not merely for a reversal of his sentence on the ground of some error in law, but for a new trial on the ground that the verdict was not warranted by the evidence. These matters had all been alluded to by previous speakers; but they were beside the real question before the House, and he only alluded to them in order to say that they were all points with which the Government proposed to deal in the Bill of which he had given Notice. That measure would deal with many other points in our criminal law than those which he had indicated, and which related exclusively to the law of homicide. He now came to the question whether the punishment of death should be abolished or not. No doubt everyone would be delighted if it were possible for that punishment to be altogether put an end to; and a man must indeed be of a barbarous nature who would not rejoice at its abolition. The question, however, was, could that punishment, in the present state of society, be abolished, having a due regard to the interests of the community? He thought that it lay upon those who asserted it to establish the affirmative of that proposition. Doubtless hon. Members opposite who supported the Motion thought that they had established the correctness of that proposition; but it was not only what they thought, but what others, and what the country thought, that must be taken into consideration before the House could consent to legislate upon this difficult question. It was a question of the greatest possible difficulty, and one in which they could not derive any assistance from the reports and opinions of individual persons or bodies. Every man might have an opinion of his own; because, although the Commissions and Committees that had sat on the subject had examined Judges, gaolers, and theorists, any thoughtful person could form as good an opinion as Judges, warders of prisons, or philanthropists. All must be driven to a conclusion on this subject by reason and by common sense, and not by theoretical opinions, based, perhaps, not upon reasonable data. And here he must protest against the argument which had been adduced by many hon. Members, based upon what occurred in times long gone by. He was aware that in past times our law was in a most disgraceful position, and seemed to have been written in letters of blood. Our present law, however, was not open to a similar charge; and while he did not for a moment justify the barbarity of that law—for he had as great an horror as anybody of the horrible scenes and executions of those times gone by—yet it was not because the penalty of death was inflicted formerly in cases where it should not have been applied, that it should be abolished in all cases in the present day. [Mr. JOHN BRIGHT: That penalty was ineffectual in former days.] And why had that penalty been ineffectual in former days? Because, as the right hon. Gentleman had contended last year, it was ineffectual when it was imposed for minor offences—such as sheep stealing, horse stealing, or simple larceny; because it was altogether uncertain; and, indeed the punishment as applied to those cases was so monstrous and was so appalling, that the Judges invented all kinds of technicalities in order to temper the barbarity of the law, and Juries could not be trusted to convict, and preferred to violate their oaths rather than to take part in what they conceived to be a judicial murder. Indeed, half the ambiguities that now existed in our criminal law arose from these very cases, and were introduced as a means of escape from this extreme punishment. That punishment, therefore, had no deterrent effect. It was, however, obvious to every thoughtful man that, for a punishment to be deterrent, it must be not only reasonable, but certain. If a man believed that he would probably escape punishment, however severe that punishment might be, he would not be deterred from committing crime. But not only was there uncertainty as to the results of trials, but there was great uncertainty as to the crime itself; and the hon. Member for South Durham said that, under the existing law of murder, there was a great improbability that persons charged with that offence would be convicted, and he alleged that was a great evil. He admitted that it was so in certain cases. For instance, cases of infanticide had their own difficulties; but there was what he might call, without being misunderstood, "constructive murder," or, rather, "constructive malice;" and, in such cases, there was great uncertainty in securing a conviction. But in cases of real murder there was no such uncertainty. He did not think that there was any great sympathy with murderers in this country. There was not the same sympathy felt now for an actual murderer as there formerly was for the man who was put upon his trial for his life for sheep stealing; and no one would think of quarrelling with a Judge or a jury who convicted a man of the crime of murder upon evidence which brought the offence home to him, inasmuch as in so doing they would only be discharging a duty which they were bound to perform. And would those who advocated the abolition of this punishment be satisfied if, in the event of a lighter punishment being substituted for it, Judges and Juries were content to accept less conclusive evidence of guilt before they convicted the persons charged? Let hon. Members consider this question from a philosophical point of view. He had been much struck by the able speech of the hon. Member for Limerick (Mr. O'Shaughnessy), who, however, took a different view of the question to that he (the Attorney General) took; but he would deal with it on the same philosophical principles. The hon. Member had certainly dealt with the subject upon sound philosophical principles when he said that the object of punishment was not retaliation nor vengeance. The object of punishment was two-fold—in the first place, it was to deter from the commission of crime; and next, and as a mere secondary consideration, it was to reform the criminal. In this country, as the law now stood, the punishment of death was inflicted simply for murder, and only for murder of a deliberate character, and high treason involving murder. He did not say that others could not be convicted of murder under any circumstances; but if so, and sentence of death was pronounced, the Home Secretary would take care it was not carried out. He did not say that was a satisfactory state of things. As matters now stood, punishment of death was inflicted only for deliberate, premeditated murder, or high treason with an intention to commit murder. Hon. Members would admit that murder was so terrible a crime that it should be checked by every possible means; and they had, therefore, to consider what punishment was the most deterrent in order to apply it to that offence. The question whether the punishment of death was the most deterrent known to the law was one of the greatest difficulty, he admitted, but it was one which those who advocated this Bill must be prepared to face; and they would have to establish that death was not the most deterrent punishment before they could ask the House to pass this measure. In his opinion, they had not established that proposition. The statistics of other countries would not help them at all in this matter, because it was impossible to ascertain with accuracy the exact facts upon which they were based, and for that reason they were not to be depended on. He was driven to the conclusion that the punishment of death was the most deterrent for two reasons. In the first place, he had a kind of intuition that it was the most deterrent because it was the most terrible. Putting aside the punishment of death by torture, which was out of the question in this, and ought not to be resorted to in any civilized country, the punishment of death was the most terrible and awful that could be conceived. It might possibly be, if we looked upon the subject from a mere physical point of view, that death was the lightest punishment of all, and that by it we might slip into oblivion without pain. As it was, however, everyone dreaded the pain, or the fancied pain, attendant upon death; but more terrible than anything else was its utter irrevocability, and the anticipations of what might come after it. He would not discuss the question upon those grounds; but still it was those matters which made this punishment in the eyes of most men the most dreadful, and consequently the most deterrent. It was, of course, impossible to tell how many people had been prevented from committing crime by the fear of the punishment of death; but intuition told him that that punishment was the most deterrent that could be inflicted. The hon. Member for South Durham had said that in the case of murders committed under overmastering feelings, such as jealousy or revenge, the punishment in question did not operate as a deterrent. But in such cases no punishment whatever would operate as a deterrent. There were, however, persons who were tempted to commit murder for the sake of gain, or in order to escape from being detected in crime; and, in both of those cases, the punishment would most certainly have a deterrent effect. For instance, how seldom were murders committed by habitual criminals—burglars, garotters, or robbers—and even by those who committed rape, murders were very rare indeed, although by doing so they might, perhaps, escape from all punishment? But what was it which deterred such criminals from committing a murder which would increase their chances of escape ten-fold, and remove the most damaging evidence against them? What but the fear of the punishment of death? Why was a man restrained from committing a murder? Was it on account of high moral considerations? It was idle to think so. As a rule, the criminal classes who had resort to crimes of violence would hesitate before proceeding to the higher crime of murder. The man who committed a robbery with violence was willing to run the risk of penal servitude, but he would not like to run the risk of punishment by death. There was only one other reason why he opposed this Bill, and that was because if it were passed there might be a necessity for revising and altering the whole scale of punishments. How was murder to be punished more heavily, if the penalty of death were to be abolished? Was the House prepared to say that all the penalties for crime were to be mitigated? Was murder to be put in the same category merely as robbery with violence? If it adopted the latter course, it would take away one of the securities for life; whilst if it said that the whole of the penalties in the scale should be mitigated, they would advocate a step to which the country was not prepared to assent. On the whole, therefore, he must oppose the measure.

Mr. O'CONNOR POWER said, he thought that the balance of evidence was in favour of the Bill of the hon. Member for South Durham (Mr. Pease). In illustration of that, he would simply refer to the case of the persons who were convicted at Manchester of the murder of police-sergeant Brett. In that case, three men were hung for murder; but there was not the slightest evidence to show that those persons knew they were committing that crime. All the evidence proved was, that those three men wished to release the prisoners who were then in custody from merely political sympathy. It was not shown that Messrs. Kelly and Deasy were criminals of any kind, and therefore the only bond of sympathy there could have been was a bond of a political character. In that case, there was no premeditation whatever of the act of murder, and the death of police-sergeant Brett was wholly the result of accident. But for all that three persons were sentenced to death, and seven others were sentenced to terms of penal servitude, and two others were sentenced to imprisonment for two years for the attack upon the prison van. It was said by the hon. and learned Gentleman (Mr. Grantham), who moved that the Bill be read a second time on that day six months, that Judges were particularly careful to reject tainted evidence, and to find out the exact truth. But in reference to this very case to which he (Mr. O'Connor Power) had alluded, which occurred in Manchester, what did they find? They found that not only were those three men sentenced to death, but that another person named Maguire was also found guilty, and sentenced to undergo capital punishment. There were eight witnesses who gave evidence against Maguire, and what did they find? They found that those eight witnesses committed perjury, because after the trial an *alibi* was proved. The case was so conclusive that the right hon. Gentleman the Secretary of State for War (Mr. Gathorne Hardy), who was at that time Secretary of State for the Home Department, pardoned Maguire. To show that the argument of the hon. and learned Member, who moved the rejection of this measure, was not sound, he might say that at the time of that trial the Attorney General of the day, in the case of Maguire, said there could be no doubt that the witnesses who had sworn to him had spoken honestly. Only a few weeks elapsed from the time of that statement being made, when it was shown to demonstration that those eight witnesses had spoken dishonestly. Not only was the Attorney General of the day imposed upon by the testimony of those witnesses, but he found from the words used by Mr. Justice Mellor that he was imposed upon also. Now, if the view of the then Attorney General and Mr. Justice Mellor had been carried out on that occasion, an innocent man would have been compelled to suffer the extreme penalty of the law on the scaffold, and would have been punished for a crime which it was afterwards proved he was entirely innocent of. He wished to make one further observation, and that was that he fully intended to vote for the second reading of the Bill; but, at the same time, he felt bound to say that if he were not convinced that we were shortly to have a very great reform in our Penal Acts, he should not vote for this measure. If he were not convinced of that, he should not give his vote in favour of the Bill; because he looked upon the system of penal servitude, as now carried out, as being a much more severe punishment than capital punishment. In illustration of that, the House would perhaps allow him to refer to the case of M'Carthy. M'Carthy was sentenced to penal servitude, and ever since he had been in prison he had been dying a daily death. Indeed, he believed if M'Carthy had to choose between capital punishment and a life-long imprisonment he would choose the former. He knew the hon. Member for South Durham, who had introduced the measure to the House in so able a speech, was in favour of reform in our present penal-servitude laws, and therefore he had not the slightest hesitation in giving the hon. Gentleman his support on the Bill. He believed that capital punishment, which was strongly advocated on the ground that it acted as a very strong deterrent, had no such effect. At all events, it did not act sufficiently as a deterrent to prevent murder from being committed by those who had made up their minds to do so; and therefore he should support the Bill of the hon. Member for

South Durham. As he stated before, he considered the balance of evidence was in favour of the Bill now before the House. Therefore he should give it his support. He believed that the time would very shortly arrive when great reforms would be made in our penal-servitude system, and he considered that the reform would not come before it was required. That question would shortly have to come before Parliament; and when it did, he hoped that it would be dealt with in a satisfactory manner. He had not the slightest hesitation in voting for the Bill of the hon. Member for South Durham; because he believed that capital punishment did not act as a deterrent sufficient to prevent the crime of murder, and therefore as capital punishment was only advocated as a deterrent, he thought it ought to be abolished.

MR. PEASE, in reply, said, the fact that no hon. Member had expressed himself satisfied with the present state of the law justified the bringing forward of the Bill. With regard to the objection of the hon. and learned Attorney General, he would urge that if the Bill were adopted, there would not be the necessity for altering the scale of existing punishment which the hon. and learned Gentleman anticipated. His (Mr. Pease's) proposal would make the penalty for murder penal servitude for life absolutely. At present, penal servitude for life was often mitigated to less than a sentence of 20 years. He was glad to see the advance the question had made, for now no Member had ventured to defend the present system. He thanked the Attorney General for his proposed measure—such an alteration would meet his views more than half-way. As soon as the crime of murder was divided into two degreees, it would be found that Judges and Juries would lean to convict for the crime of the second degree, and the office of the hangman would gradually become almost unknown.

GENERAL SHUTE thought there could be no doubt that capital punishment deterred, though it could not reform. He had long been of opinion that capital punishment, as carried out in England particularly, was barbarous and brutal in the extreme. He was not sure that when carried out privately, it was not even more horrible than when carried out in public. The old theory of blood for blood was too savage for a civilized nation. It was perfectly true that capital punishment had been the cause of very great uncertainty of punishment. The object, however, should be the certainty rather than the severity of the punishment, and the fact that a conviction would ensure capital punishment had been the cause, in many instances, why the Jury gave a verdict of "Not guilty." In a conversation he had with the hon. Member for South Durham (Mr. Pease) not long ago with reference to the certainty of punishment, the hon. Member told him that he thought a sentence of penal servitude for life ought really to mean penal servitude for life; that penal servitude for 14 years ought to mean penal servitude for 14 years; and so on; and yet, to his surprise, he saw in the paper the other day that the hon. Member was one of those Gentlemen who advocated the reduction of the penal servitude awarded to one of the greatest offenders. As the hon. Member did not carry out his own theory as to the certainty of punishment, it might be that if capital punishment were abolished, certainty of punishment would not be secured by that abolition. He (General Shute) thought with regard to the Army and Navy, for the sake of discipline, we could not dispense with capital punishment. Treason, also, he thought ought to entail capital punishment. Some change in the law was necessary; but he could not vote for the total abolition of capital punishment, which he thought must still be resorted to in extreme cases.

Question put.

The House *divided*:—Ayes 64; Noes 263: Majority 199.—(Div. List, No. 47.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

PATENT LAW AMENDMENT BILL.

On Motion of Mr. ANDERSON, Bill for the Amendment of the Patent Laws, *ordered* to be brought in by Mr. ANDERSON, Mr. MUNDELLA, Mr. DALRYMPLE, and Mr. ALEXANDER BROWN.

Bill *presented*, and read the first time. [Bill 127.]

WATCH CASES (HALL MARKING) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law relating to the Hall Marking of Watch Cases.

Resolution *reported:* — Bill *ordered* to be brought in by Sir HENRY JACKSON, Mr. EATON, Sir ANDREW LUSK, Mr. TORR, and Mr. TORRENS.

Bill *presented,* and read the first time. [Bill 128.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 14*th March,* 1878.

MINUTES.]—PUBLIC BILLS—*Third Reading*—Territorial Waters Jurisdiction * (38-40); Exchequer Bonds (£1,000,000) *, and *passed.*

THE EASTERN QUESTION.

POSTPONEMENT OF MOTION.

LORD CAMPBELL, who had placed on the Notice Paper for this evening—

> "To call attention to the precautions which appear to be desirable before Great Britain enters the approaching Conference; and to move for any recent diplomatic Correspondence with Her Majesty's Government on the terms of Peace between Russia and the Porte,"

said, that several of his noble Friends who sat on the same side of the House as he did had informed him that they would not be able to speak on that occasion, some of them being unavoidably detained. As among those noble Lords there were persons better qualified to exercise an influence in respect of the Eastern Question than he was, he would not bring forward the subject in their absence, and would therefore postpone his Notice to another evening. Such a course would, in all probability, be imposed upon him, even if he did not take it now, by the discussion of the Notice which had precedence of his own.

ECCLESIASTICAL BENEFICES.

The Queen's Answer to the Address of Friday last *reported* as follows, viz.:

> "I have received your Address praying that a Commission may be issued to inquire into the law and existing practice as to the admission to, and sale, exchange, and resignation of Ecclesiastical Benefices, and to recommend remedies for abuses if any are found to exist; and I have given directions that a Commission shall issue for this purpose in accordance with your request."

RAILWAYS—CONTINUOUS BRAKES.

OBSERVATIONS.

EARL DE LA WARR, in calling attention to the recent Correspondence between the Board of Trade and the Railway Companies on the subject of Continuous Brakes, said, that when the Report of the Commission on Railway Accidents was laid before Parliament at the commencement of the last Session, it was felt that a little time should be allowed to consider the recommendations of the Commissioners, both on the part of Her Majesty's Government and also of the Railway Companies. It would seem that sufficient time had now elapsed, and, although no great amount of action had been taken, the time had not been wholly unemployed—at least, with reference to one matter to which the Commission directed special attention. He meant that of continuous brakes. It would be only trespassing upon their Lordships' time to no purpose if he were to go back to questions of the past in connection with this subject—he proposed to take it up where it was now; and he believed he might say, in the presence of some noble Lords who were Directors of Railways, that it was almost universally admitted that continuous brakes of some kind, at least on passenger trains, were necessary for the public safety. The speed of trains, the weight of trains, and other circumstances, had tended to render hand brakes insufficient, and a continuous brake which could be applied simultaneously to all parts of a train was found to be indispensable. Accordingly, on the 30th of August last, a Circular was addressed by the Board of Trade to the Railway Companies, calling their attention to the subject of continuous brakes, and referring to former Correspondence, which was described as being far from satisfactory. It was there stated—

> "The Board of Trade, therefore, regret to observe from the Returns forwarded in the Correspondence above alluded to, not only that there is no immediate prospect of the adoption of any such general system even by companies

owning continuous lines, but that many of the companies are not taking, and apparently refuse to take, any steps towards that end. Referring to the merits of the different brakes now in use or under experiment as stated in the answers to the questions put by the Board of Trade, it is to be remarked that the statements of the different companies vary considerably, and are scarcely consistent with each other. Thus, the London and North-Western Company express themselves satisfied with a mechanical continuous brake, which is reserved for cases of emergency, and which can only be applied throughout the train by the engine-drivers or guards through the intervention of a communication cord. No other company appears to have even tried this brake. On the other hand, many companies speak in the highest terms of air or vacuum brakes, which are rejected *in toto* by the London and North-Western Company. The Great Northern Company have adopted a vacuum brake which is highly thought of. . . . The Midland, North-Eastern, North British, and some other companies, are stated to have tried or adopted brakes which are self-acting. . . . It would be easy, but is scarcely necessary, to dwell at greater length on the different and even discordant views disclosed in the answers of the different companies."

The Board of Trade further observed that they

> "cannot regard the state of things shown by these papers as satisfactory, inasmuch as it indicates a diversity of opinion and action, and, in some cases, an absence of progress which, if allowed to continue, will be most injurious to the characters of the companies and to the interests of the public. There has, apparently, been no attempt on the part of the various companies to take the first step of agreeing upon what are the requirements which, in their opinion, are essential to a good continuous brake."

Such were the views of the Board of Trade in August of last year. Let their Lordships now see what had been done since. In answer to this Circular, there were replies from many of the principal Companies, stating that they had made and were making experiments with different brakes, and on some lines these were being used to a considerable extent; but it appeared that not more than 5 per cent of the trains now running were fitted with continuous brakes of any kind. He might mention the Great Northern. That Company had 87 engines fitted with the vacuum brake and 476 carriages, two engines and 15 carriages fitted with the Westinghouse brake, and 15 carriages fitted with Clark's chain brake. Now, it was evident that that Company was alive to the importance of brakes, but was still making experiments, and had not arrived at the best kind of brake. Then, if they turned to the Brighton and South-Coast Railway, they would find it had determined to adopt one form of brake—the Westinghouse automatic brake, and it appeared from the letter of the General Manager that 50 engines and 500 vehicles were to be fitted with that brake; thus setting an example of decision and consistency of action which it was to be hoped might be followed by other Companies. Then, if they turned to the Report of the London and North-Western Railway, they found a totally different kind of brake, which seemed to meet with the most approval. The London and South-Western Railway reported that the Directors were of opinion that further experience and inquiry were necessary before they adopted any kind of brake. Now, what was the conclusion at which they must arrive from reports such as these—which, in fact, ran through the whole of the Correspondence. It must be that the Railway Companies were unable among themselves to decide upon and adopt any uniform system of brake power, and, consequently, any uniformity of practice which was essential. It was obvious that it was of the greatest consequence to obtain uniformity, as, in the case of trains running over different lines, if the brakes were of various construction, it would be a serious inconvenience and hindrance in the way of the through traffic. But, further, it appeared that only a few, comparatively, of the Railways of the United Kingdom had sent any reply at all to the Circular of the Board of Trade. The number of Railway Companies was, he believed, more than 100, but only 21 appeared to have sent replies. This was certainly far from satisfactory—and was there a prospect of any improvement in the position of affairs? Her Majesty's Government might be able to inform their Lordships upon this as well as other points. And now, having endeavoured to call their Lordships' attention to the opinion of the Board of Trade, he would further refer to a remark in the Circular of the Board which showed the great importance of the matter which was under discussion. The Board of Trade observed that they were led to conclude, from a careful examination of reports of accidents for the past few years—

> "That three-fourths of those accidents might probably have been avoided, or the results ma-

terially mitigated, if the passenger trains concerned had been provided with continuous brakes."

He need hardly call their Lordships' attention to the importance of this conclusion; and although Her Majesty's Government had not pressed upon Railway Companies other recommendations of the Commission, yet they had brought under notice and urged the adoption of one which was among the most important. He should himself gladly see Railway Companies united in their views, and carrying out improvements such as brake-power in the manner which, after due consideration, they might deem to be best. And he desired to bear testimony to the ability and unceasing endeavours of Railway Managers, not only to promote the interests of their employers, but also the safety and convenience of the public; but if there were difficulties in the way of unity of action between the Companies in carrying out what, in the opinion of those who were most competent to judge, was essential to the public safety, he could see no alternative but the use of that authority which the Board of Trade had ever exercised with great discretion, or to have recourse to some further Parliamentary measure to direct and regulate what was necessary for the safety of the public in railway travelling.

Earl COWPER said, the noble Earl had, he thought, done a public service in bringing forward this subject. There was something every day in the newspapers to show the great advantages of a brake by which a train could be pulled up within a short distance. He was glad to see that some of the great Railways were adopting—though, perhaps, not as quickly as they might—some form or other of continuous brake-power. Of course, the great question was whether a uniform brake-system should be made obligatory on the Railways or that the Companies should be left to adopt such systems as they themselves might think best. Now, the Committee which sat a year or so ago on Railway Accidents, after going into the brake question, came to the determination not to recommend any particular form of brake, but to leave that to the Companies themselves. It was rather late in the day, he thought, to enforce a uniform system. We had already acted on the opposite system of allowing each Railway to choose for itself, and various Companies had gone to considerable expense in order to ascertain what was the best plan. He thought it was a wise course to leave that matter in the hands of the Railway Companies, and to leave the responsibility to them, and he thought that no sufficient cause had been shown for departing from that principle. No doubt in the case of through traffic a difficulty arose from the use of different systems of brakes on different lines over which that traffic passed; but he did not think the difficulty was so great as to induce Parliament to legislate on the subject.

Lord HENNIKER said, there could be no doubt as to the importance of the subject to which his noble Friend (Earl De La Warr) had called attention, and if a discussion of the question did nothing else, it would do much good in placing the state of the case clearly before their Lordships, and the public outside. In speaking for the Board of Trade, he would not detain their Lordships longer than was absolutely necessary; but it was important that the exact position of the question should be fully understood. For many years past the Inspecting Officers of the Board of Trade had constantly called attention in their Reports to the necessity for more brake-power in passenger trains; but the Companies did not, up to a certain time, show much desire to adopt any of the improved methods; and accordingly, in January, 1877, the Board of Trade addressed a Letter to the Railway Companies' Association, urging upon them the necessity of taking the matter into their serious consideration, and to come to some arrangement. The Board also pointed out that the time had arrived for decisive and harmonious action on the part of all the Companies. As, however, it did not appear to the Board of Trade that the Companies' Association were making much progress towards a settlement of the question, the Board addressed a Circular to all the Companies last August, pressing them strongly to adopt some brake, and recommending upon all lines, where there was an interchange of traffic, that the same brake should be adopted. He was very glad to hear his noble Friend and his noble Friend opposite (Earl Cowper) lay some stress on the adoption of a uniform brake. The Board of Trade laid down conditions which they considered essential with respect to any brake which might be adopted; the principal conditions being that the brakes should be continuous and self-acting, and that they should be used in daily working. The Board of Trade received at first but few replies to this Circular, but none of them showed that the Companies were doing much in the matter. Quite recently, however, some further replies, which had been laid before the House, were received. From these it appeared that the London, Brighton, and South Coast Railway Company, and the North-Eastern Railway Company had adopted a brake which complied with the conditions laid down by the Board of Trade; that the Great Northern and some other Railways had found a brake very satisfactory, which was continuous, but not self-acting—but that it was proposed by those Companies to make the brakes in use self-acting; that on the South-Eastern, North London, Metropolitan, and District Railways, the continuous brakes in use were so efficient that they were being extended to all their trains. The Great Western Railway Company was experimenting and had fitted their trains with a brake which was stated to be satisfactory, and which would meet the requirements of the Board of Trade. The London and North-Western, on the other hand, stated that they had fitted a large part of their stock with a brake which was neither continuous nor self-acting, nor used in daily working. In fact, the servants of the London and North-Western were expressly forbidden by the regulations of the Company from using the brake with which their carriages and engines were fitted in daily working, and were directed to use it only in cases of emergency. It did not require any particular or special knowledge of Railway working to know that any system of brake, however good, if it were not used in ordinary every day working, would not be so useful as a brake which was used on every occasion when a train was stopped. Although by the regulations of the North-Western Company the servants in charge of a train were directed to test the brake at the first station where the train stopped; yet in practical working, as was shown by the reports of the Inspecting Officers concerning accidents which had occurred during the last autumn and winter, this was not always done, and the result was that those in charge of the train had no confidence that, when an emergency arose, the brake would prove efficient. Nothing would better illustrate what he had said, and the importance of continuous brakes than the report of General Hutchinson on the accident which occurred in August last between Moore and Warrington. There were, no doubt, difficulties—great difficulties—in obtaining unanimity of feeling in regard to so important a matter as the adoption of a particular brake among those who were practically connected with Railway working. Not only had the various Railway Companies a natural dislike to give up any system of brake to which they were accustomed, but there were many considerations to be weighed and difficulties to be overcome before any general agreement could be arrived at for the adoption of any one system of brake by those large Companies, especially, who interchanged vehicles in conducting the traffic to the North. It must, however, not be forgotten that very considerable progress had been made since the Board of Trade addressed the Companies on this matter in January, 1877—he would not trouble their Lordships with details, which were to be found in the Correspondence—and although that progress had not been so quick as could be desired, yet it was sufficient to warrant a just hope that in the course of two or three years the Companies would have settled this important matter for themselves. Although by the recommendations of the Royal Commission on Railway Accidents, it was suggested that Parliament should require all Railway Companies to provide every passenger train with a brake that would under all circumstances stop a train in 500 yards; yet when the matter came to be looked into with a view to putting that recommendation into force, so many practical difficulties arose that it would not be expedient to endeavour to obtain the sanction of Parliament to an enactment for that purpose. It would not, for instance, be convenient for the Board of Trade, or any other authority, to be responsible for such a law being complied with as to all passenger trains, running under different conditions throughout the country. On the other hand, it was merely a question of time when continuous brakes would be fitted to all passenger trains—as it was generally admitted ought to be the case. Experience had shown, in regard to all matters connected with Railway working that, although the Companies were slow in arriving at any decision as to a change which would involve any considerable expenditure of money, and, in the particular case of brakes, a great change in the working arrangements; yet that when public opinion was clearly expressed and the shortcomings of the Railway Companies were laid bare by Inspectors' Reports, and the moral influence of Parliament was brought to bear on the matter by frequent discussions, eventually the best arrangements were adopted. There was always one great danger in laying down a hard-and-fast rule as to any particular invention. If it were once to become law that a particular brake should be used within a given time on all the Railways, it would, of course, check any desire on the part of the Companies to adopt such improvements as experience and ingenuity might suggest. Under these circumstances, bearing in mind the great difficulties which surrounded this question, the Board of Trade were not prepared to introduce any measure for the compulsory adoption by the Companies of any particular brake, or of any brake having a fixed amount of power. It might be desirable to require Railway Companies to make a Return every six months to the Board of Trade, which should be presented to Parliament, showing what was being done as to brakes, stating what kind of brake was in use, and whether it complied with the requirements of the Board of Trade; also, what was the number of engines and carriages fitted with it, and what were the cases, if any, in which it had failed in its action, when required. Further, the regulations to be specified under which it was worked. It might be desirable, too, if found to be necessary, following the precedent of the Regulation of Railways Act, 1873, to pass a short Act requiring Returns to be made.

Lord CARLINGFORD said, there could be no dispute about the general proposition; but the difficulty arose when the Companies were called upon to adopt some specific mode of carrying out what was generally admitted as necessary in the application of brakes to Railways. He was very far from saying that things as they now stood were satisfactory; still they were more hopeful than they were when the Board of Trade issued its Circular in August last, and that result might fairly be attributed to the action of the Board of Trade and the force of Parliamentary and public opinion having been thus brought to bear upon the Companies. Was the condition of things, however, such as to call for the compulsory interference of Parliament? That was the question now, and it was one which it was very difficult to answer. It seemed as though something like indifference in the matter had been exhibited by some of the Companies—it certainly was not satisfactory to find that the London and North-Western, which was, perhaps, the most important Railway Company in the country, seemed content with a system of brake which the Board of Trade and the greatest authorities in the country had condemned as a thoroughly inefficient system. What might have been a very serious accident occurred on that Company's line in August last, and on that occasion, though the alarm had been given fully a mile before the train reached a place at which some of the rails were up, the train was not pulled up short of that place. The Board of Trade drew the attention of the Company to that fact; but, in reply, the Secretary, on the part of the Company, expressed a sanguine hope that the same system of brake would be made efficient. He was glad to see that the London and North-Western Railway Company were considering the sufficiency of their brakes; and he could not help thinking that all the Railway Companies should have their eyes opened to the necessity of adopting the continuous brake running all through the train, and that it should be under the charge of the engine-driver. So much for the Returns which had been presented to the House—and undoubtedly there were some good signs in them. The North-Eastern Company had decided on the immediate adoption of the Westinghouse brake, and other Companies were adopting that or some other system of self-acting brakes. He was not prepared to say that the existing circumstances showed a necessity for compulsory legislation. He knew too well the very great difficulties which arose through imposing upon a Department the working of legislation of this kind, and he had had to consider the consequences which would follow from it. He would not say that those difficulties were insuperable; but he thought that under certain circumstances Parliament might be compelled to legislate upon this subject. He understood the noble Lord who represented the Board of Trade in that House (Lord Henniker) to say that the Government did not intend to recommend any legislation this Session, and he (Lord Carlingford) was not prepared to say that that decision was not right; but, at the same time, Railway Companies should understand that both Parliament and the public would not permit the old system to go on without this new and important aid to safety being effectually supplied. More time could not be needed for experiments, and it might be expected that Railway Companies would make up their minds to carry into effect those means of safety which were universally recognized. When the noble Lord talked of compulsion, he (Lord Carlingford) understood that he meant that direct compulsion which existed in enabling and requiring the Board of Trade to lay down rules which should impose upon Railway Companies the necessity of furnishing trains with these means of stopping them. But there were other means which might be brought to bear upon Railway Companies which were not of so direct a kind. It might, for instance, be highly proper and expedient where an accident could be traced to a want of sufficient brake-power being used, and proof of that could be connected with the accident, to provide by Statute that in such cases there was criminal negligence within the meaning of the law. He was not without hope that these debates in Parliament and the action of the Board of Trade would go very far in bringing about a better state of things. There were other questions of safety in connection with Railways which had been dealt with without compulsory legislation. When the Bill which the noble Earl (Earl De La Warr) brought in on the subject of the block system and interlocking was referred to a Select Committee, that Committee recommended that the Railway Companies should be bound to make regular Returns of progress made in those improvements. A Bill was passed to give effect to that recommendation, and very good results had followed. Something of the kind might perhaps be done in the case of brakes; but, at all events, while not prepared at the present moment to support direct compulsory legislation, he did think the time had arrived when Railway Companies should understand that the Board of Trade was supported by Parliament and the country in requiring that all trains should be provided with an efficient system of brake power.

THE DUKE OF SOMERSET must say that the answer of the noble Lord who represented the Board of Trade in their Lordships' House (Lord Henniker) was somewhat unsatisfactory. The Railway Companies had for years been urged to adopted a better system of brakes; they had taken a long time to make experiments; and they had promised that the best system should be adopted. Yet they went on year after year using brakes of a very inefficient character, or refusing to use them at all, and even neglected to make Returns on the subject when asked by the Board of Trade. It was known that eight out of every 10 accidents could be prevented by using a good system of brakes; and if the Companies would not use them, he hoped that juries would give verdicts with heavy damages, and so teach them that where a good system was not in use the Companies were guilty of negligence. Some such action would probably tend to accelerate the very slow progress which the Railways were making in the matter of brakes. In some respects the Railways went fast enough; but, so far as continuous brakes were concerned, they had been most unfortunately dilatory.

House adjourned at a quarter past Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 14*th March*, 1878.

MINUTES.]—NEW MEMBER SWORN—Thomas William Chester Master, esquire, the younger, *for* Cirencester.

PUBLIC BILLS—*Select Committee*—Weights and Measures * [111], *nominated.*

Withdrawn—Public Prosecutor * [105].

QUESTIONS.

POOR LAWS (SCOTLAND) BILL.

QUESTION.

MR. FRASER-MACKINTOSH asked the Secretary of State for the Home Department, Whether it is the intention of the Government to introduce a Bill this Session for the Amendment of the Poor Laws in Scotland?

MR. ASSHETON CROSS, in reply, said, that as there were two important measures connected with Scotland before the House, it would be impossible to proceed with a third, until the measures named in the Queen's Speech were disposed of. He feared the state of Business would hardly permit of a Bill of that kind being proceded with this Session.

THE EASTERN QUESTION—THE CONGRESS—ADVANCE OF THE RUSSIAN ARMY.—QUESTIONS.

MR. C. BECKETT-DENISON asked Mr. Chancellor of the Exchequer, Whether in the proposed Congress of European Powers each State will preserve its liberty of action to retire at any moment that its own sense of national honour and interest may dictate, or whether it is proposed that the majority shall bind the minority; whether England will carefully preserve her right of protest and future independent action against any spoliation or appropriation of Turkish territory by any of the signatories of the Treaties of Paris and London; and, whether, having regard to European interests, England will oppose any delimitations of a new and weak State, under the virtual dominion of Russia, with seaboard and harbours on the Mediterranean or Ægean Seas, and will absolutely refuse to recognise any such proposal, even if in a minority in Congress?

MR. ONSLOW: With the permission of the Chancellor of the Exchequer, I will ask him, before he replies to the hon. Member, the Question which stands in my name — namely, Whether Her Majesty's Government has any knowledge, either official, or from other reliable sources, of the number of Russian troops now before Constantinople and Gallipoli, and of the whole number south of the Balkans; whether Her Majesty's Government propose to enter the Conference without being officially informed of the terms of peace commonly reported to have been signed between the Government of Russia and the Sultan of Turkey; and, whether it is the intention of Her Majesty's Government to enter the Conference while the Russian troops occupy their present dominant position along the lines of Constantinople and in front of Gallipoli?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I requested my hon. Friend the Member for Guildford (Mr. Onslow) to put his Question at the same time as that of my hon. Friend the Member for the West Riding (Mr. C. Beckett-Denison), because to a considerable extent the Answer which I have to give will apply to both Questions. The position of Her Majesty's Government is this. We have agreed in principle to take part in the proposed Conference or Congress, and we are at present in communication with the various Powers who may be parties to that Congress as to the terms and basis on which they are to enter it. It would be inconvenient that I should go at present at all minutely into those questions which are now under discussion; but I can say without the slightest hesitation that in the Congress each State will certainly preserve its liberty of action to retire at any moment, and it is not proposed that the majority should bind the minority. England will maintain her views in the Congress, and she will require that, before entering the Conference, it is understood that every Article of the Treaty between Russia and Turkey shall be placed before the Congress in such a manner that the Conference may judge whether those Articles require to be assented to by the Powers or not. I do not think I can answer the last Question of the hon. Member for the West Riding. I think he will see that it would be inconvenient for me to do so. With reference to the Questions of the hon. Member for Guildford, I cannot give him any information as to the number of Russian troops now before Constantinople and Gallipoli. We have no official information on the subject which can properly be made use of, or which is sufficiently complete to be of value. I can only repeat what I have said with regard to the terms upon which we propose to enter the Congress. I do not think I can answer the Questions more fully.

THE EASTERN QUESTION—TURKEY—GREEKS IN BULGARIA.—QUESTION.

SIR **CHARLES W. DILKE** asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government possess any trustworthy statistics showing the number of Greeks inhabiting those districts of Thrace and Macedonia which it has been proposed to merge in the New Bulgaria; and, whether any information on this subject could be furnished to the House along with the necessary maps?

MR. **BOURKE**: Sir, I have to state that Her Majesty's Government are not in possession of information which they consider sufficiently full or accurate to enable them to lay Papers on this subject before the House; but Mr. Layard has been instructed to make inquiries of the nature mentioned in the Question of the hon. Baronet, and when the result of his inquiries has been communicated to Her Majesty's Government, it shall be laid upon the Table. With respect to the last Question of the hon. Baronet, I have to state that it is impossible almost to judge from the Turkish accounts which we have received as to the number of Greeks in the Provinces of Thrace and Macedonia; because, in the Turkish Returns in the possession of the Foreign Office, the Greeks are not distinguished from the Bulgarians.

MINES REGULATION ACT, 1872—REPORTS OF INSPECTORS.

QUESTION.

MR. **MACDONALD** asked the Secretary of State for the Home Department, If, considering that now there are several well-known safety-detaching hooks in use which minimise the loss of life from overwinding at mines, he will direct that the attention of the mine owners of the United Kingdom be called to the necessity for their use, for the prevention of catastrophes such as that which took place at the Blantyre No. 3 Pit, where six men lost their lives a few days ago?

MR. **ASSHETON CROSS**, in reply, said, it was not usual to call on the Inspectors of Mines to send in their Reports before the 31st of March. When the Reports reached the Office of the Secretary of State, they would then be put into the hands of the printer and be laid on the Table forthwith. He quite agreed that the use of safety-detaching hooks was a great safeguard for life. The contrivance had been very gradually, and was now very extensively, used by coal-owners, and it would be beneficial to instruct the Inspectors to promote its use in various districts. He was glad to say that the number of accidents from the cause referred to had for a number of years been very small, and he hoped the use of this contrivance would render them fewer.

UNITED STATES—THE BLAND SILVER ACT.—QUESTION.

MR. **RYDER** asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government will inquire of the Government of the United States whether it is the intention of that Government to pay the interest on the funded loans in gold coin, in accordance with the terms upon which those loans were issued, or whether the obligation to pay in gold coin is considered by that Government to be cancelled by the Bland Silver Act; and, whether it is the intention of Her Majesty's Government, if invited by the Government of the United States, to send a Representative to the International Conference proposed by the Bland Silver Act to be held for the purpose of establishing a fixity of relative value between gold and silver?

THE **CHANCELLOR OF THE EXCHEQUER**: Sir, Her Majesty's Government have not felt called upon to make the inquiry suggested by the hon. Gentleman of the Government of the United States. It would, perhaps, be hardly courteous to make an inquiry whether they intended to fulfil their obligations. With regard to the second part of the Question, Her Majesty's Government have not received any invitation to send a Representative to the International Conference. Her Majesty's Government cannot say beforehand what they might do until they receive such an invitation, and are informed in what way the Conference is to be composed.

PARLIAMENT—THE EASTER RECESS—ARRANGEMENT OF BUSINESS.

QUESTION.

Mr. DILLWYN asked Mr. Chancellor of the Exchequer, When the Government intend to move the Adjournment of the House for the Easter Holidays?

The CHANCELLOR of the EXCHEQUER: Sir, it is said to be a Scotch practice to answer some Questions by putting others, and really in this matter I am, to a certain extent, in the hands of the House, and must make my Answer depend on the pleasure of the House with regard to the progress of Business. I wish to point out that there are one or two matters upon which we have really no option, for we are bound by time. For instance, with regard to the Mutiny Bills, it is necessary by the Constitution and by Statute that they should be renewed before the expiration of the present Acts on the 25th of April. It is therefore necessary in the present year that we should pass the new Acts before the House rises for the Holidays, otherwise we should be too late, and the Army would be thrown into a state of complete confusion. Then it must be borne in mind that there are certain Supplementary Estimates laid before the House, and, unless they can be got through Committee, and the Bill which will be necessary to give effect to the Vote can be passed before the 31st of March, we should find there would be great financial confusion. Now, this being the position of the House, I have to call its attention to the obligations which we have incurred with regard to particular days. We have fixed a certain day—Thursday, the 21st—for taking the Roads and Bridges (Scotland) Bill, and as that day has been fixed for a considerable time, and Gentlemen interested in the subject have made arrangements accordingly, it would be impossible to change the day. A conditional promise has also been given that the Irish Sunday Closing Bill should have a day—I had suggested either the 25th or 28th of this month; but I am not sure that it would not be more convenient to take Monday in the week following. Under these circumstances, if the House is willing to assist us, and if we are able to get on fairly with Supply and the Mutiny Bills, I hope we may be in a position to rise on the Tuesday or Thursday in Passion Week—that is, Tuesday the 16th or Thursday the 18th of April, as may be the pleasure of the House. [*Murmurs*]. I can very easily appreciate the meaning of those murmurs, but the fact is that the Business which we have to deal with is not of a kind which leaves us much option. It is necessary that we should really get on with it. I propose that Thursday, the 4th of April, should be fixed for the introduction of the Budget; and what I would suggest, with the approval of the House, would be to allow the Government to have the use of Tuesday, the 16th, in which case we might rise on that day and adjourn for the Holidays over the remainder of that week, and over the two succeeding whole weeks till Monday, the 6th of May. We shall then have the greater part of three weeks' holiday. I hope the House will help us to carry out that proposal.

NATIONAL SCHOOL TEACHERS (IRELAND) ACT—CONTRIBUTORY UNIONS.

QUESTION.

Mr. MELDON asked the Chief Secretary for Ireland, How many Unions in Ireland were contributing under the provisions of "The National School Teachers (Ireland) Act, 1835" for the past year; how many at present; and, in how many Unions Notices of Motion to resist the Resolution for becoming contributory are pending?

Mr. J. LOWTHER: Sir, the number of contributory Unions for the past year was 40. In the current year that number has been reduced by 14 rescinding Resolutions, leaving 26 Unions still contributory. In four Unions Notices to rescind are pending.

THE EASTERN QUESTION—THE WAR—TREATMENT OF ENGLISH DOCTORS BY THE RUSSIANS.—QUESTION.

Mr. J. COWEN asked the Under Secretary of State for Foreign Affairs, If there is any objection to publishing the Statement supplied to the English Consul at Andrianople concerning the treatment endured by Dr. Armand Leslie and Dr. Neville of the National Aid Society, of Dr. Kirkpatrick, of the Red Crescent Society, and of Mr. Bell, the Correspondent of the "Illustrated London

News," who fell into the hands of the Russians on January 1st, and were kept prisoners by them for five weeks; and also of the affidavit made by Dr. Leslie before the English Consul General at Constantinople, respecting the mutilation and ill-treatment of the Turkish prisoners, wounded, and refugees by the Russians?

MR. BOURKE: Sir, with regard to the first Question of the hon. Member for Newcastle, there will be no objection to lay the Statement on the Table, with other documents relating to that Statement; but as to the second Question, touching the affidavit of Dr. Leslie, as it relates to Turkish subjects and not to British subjects, it is not usual to lay such a document before Parliament.

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.—QUESTION.

MAJOR O'GORMAN asked the honourable Baronet the Member for Walsall, Whether the Petitions from Londonderry, bearing upwards of nine thousand signatures, in favour of the Sunday Closing Bill, Ireland, has on examination been discovered to consist of signatures a large number of which, if not the principal portion, are inscribed in one and the same handwriting; and, also, whether Petitions from Dundalk and Innistiogue in favour of the same Bill have been found irregular?

SIR CHARLES FORSTER, in reply, said, it would appear from the Questions that had been addressed to him from both sides of the House that the battle on this question was about to be shifted from the floor of this House to the Table of the Committee on Public Petitions, and it was only right that parties who signed such Petitions should be thus reminded that Petitions even after examination by the Committee were subject to rigid scrutiny by Members of this House. Since Notice was given of this Question, he had directed a fresh examination to be made of the particular Petitions. It was not quite accurate to say that the Petitions from Dundalk and Innistiogue were irregular, though it was quite true that several of the petitioners were unable to write their own names. Under these circumstances, it was his intention to propose to the Committee that the names should be cancelled. With regard to the Petition from Londonderry, he could not take the same course. The hon. and gallant Member was not quite accurate in his facts. It was true that in a note that was appended to the Petition in one Report it was stated that signatures were signed by one person; but it turned out on investigation that that person was really attesting the signatures of persons who were unable to write. It was his intention next Monday to propose to the Committee to add a foot-note on the subject to their next Report.

THE LATE SERGEANT M'CARTHY.

QUESTION.

MR. O'CONNOR POWER asked the Secretary of State for the Home Department, If he intends to lay upon the Table of the House Sir James Ingham's Report in the case of the late Sergeant McCarthy, and the various statements connected with that case which have been laid before Sir James Ingham, together with the depositions made at the Coroner's Inquest; and, if so, on what day?

MR. ASSHETON CROSS: Sir, I can lay the Report referred to on the Table, but I cannot say on what day it can be produced, and that is a question of the delay in printing—no time, however, shall be lost, and I may say that the documents have been for some time in the hands of the printers.

RAILWAYS (IRELAND)—CONTINUOUS BRAKES.—QUESTION.

MR. BRUEN asked the President of the Board of Trade, If any steps have been taken by the Irish Railway Companies for the adoption of continuous brakes to passenger trains; and, whether questions have been put by the Board of Trade to those Companies similar to those put to the English and Scotch Railway Companies in April, 1877; and, if so, whether he will lay the answers upon the Table of the House?

SIR CHARLES ADDERLEY: Sir, as the Irish railway companies are not parties to the Railway Companies' Association, the queries contained in the Board of Trade Letter of the 21st of April last were not sent to them; but the circular to all railway companies of last August on the same matter, laying down the requirements which the Board of Trade considered essential with regard to brakes, was sent to the Irish railway companies, as well as the English and Scotch. Only one reply has been received, that of the Midland Great Western Railway of Ireland. I am pressing the other Irish companies for replies, and will shortly report to the House on the subject.

COURTS OF SESSION (SCOTLAND)—LEGISLATION.—QUESTION.

Mr. LYON PLAYFAIR asked the Lord Advocate, When he intends to introduce a Bill with regard to the Courts of Session in Scotland?

The LORD ADVOCATE: Sir, I propose to introduce that Bill the moment the state of Public Business affords a prospect of proceeding with it.

ROYAL CONSTABULARY (IRELAND)—THE NEW CODE.—QUESTION.

Mr. GRAY asked the Chief Secretary for Ireland, When the new Constabulary Code will be issued, and whether there would be any objection to lay a Copy of it, and of the present Code, upon the Table of the House, so as to afford Members an opportunity of inspecting it?

Mr. J. LOWTHER: Sir, I find that a revision of the existing Constabulary Code is at present proceeding; but as such documents have always been considered of a confidential character, it would not be desirable to lay it upon the Table of the House.

SUEZ CANAL DUES.—QUESTION.

Mr. CHILDERS asked Mr. Chancellor of the Exchequer, Whether the Suez Canal Company have carried into effect the undertaking given by M. de Lesseps to Colonel Stokes in February 1876, that the Canal Dues should be charged on the tonnage shown by the Board of Trade special certificates, or still continue to charge on the tonnage shown by their own measurements; and, if the latter be the case, what steps have been taken by Her Majesty's Government to secure the performance of this undertaking which formed part of the consideration for the postponement of the reduction of the surtax, of which the Canal Company have had the advantage?

The CHANCELLOR of the EXCHEQUER: Sir, as my right hon. Friend is aware, there has been a good deal of difficulty in this matter; but I have just seen Mr. Rivers Wilson, on his return from Paris, and I can state since the acceptance by M. de Lesseps in the early part of last year of the conclusions of the Constantinople International Tonnage Commission and the withdrawal of his protests, the Suez Canal Company have recognized the special tonnage certificates given by the Board of Trade in their assessment of the dues to be paid by British vessels. The Company contested, however, the interpretation of the Constantinople rules in certain particulars as applied in the Board of Trade measurements. The Company contended that certain spaces in the vessels were improperly excluded from the net tonnage on which the dues were to be levied, and assumed to themselves the right of verification, with the object of adding and charging for any such additional spaces. In consequence of the complaints addressed to Her Majesty's Government by the shipowners on this subject, instructions were given to the British Directors to come to an understanding with the Company on the matters in dispute. Negotiations have accordingly been in progress for several months, and were brought to a final conclusion at the meeting of the Council this week. The general purport of the arrangement, which it is to be hoped will be acceptable to the shipping community, and will remove all existing causes of dissatisfaction is, that a distinct agreement has been come to as the limits and conditions under which the disputed spaces are to be included in or excluded from the net tonnage, subject to taxation, and that the verification by the Company is to be confined to ascertaining that the deducted spaces are correctly appropriated to their proper uses; that no changes have been made in them since the delivery of the Board of Trade certificate, and that no spaces have been added without being included in the tonnage, the object being not to test the accuracy of the official measurements, but to prevent abuses by which the Company may be defrauded. The Council of Administration, at its last meeting, adopted a revised *Réglement de Navigation*, which will give effect not only to the new agreement, but to all that was done by the Tonnage Commission at Constantinople in 1873-4, and under the Convention between M. de Lesseps and Colonel Stokes at Cairo in 1876. This *Réglement* will be published in a few days, and will come into effect on the 1st of July next. Her Majesty's Government have undertaken to furnish the Commission with weekly lists of all vessels holding Suez Canal special certificates. Every vessel not provided with a certificate may be measured by the Canal authorities in conformity with the Constantinople rules, and must pay her dues according to such measurement until she produces a special certificate from the authorities of her own country.

GRAND JURY (IRELAND) BILL.

QUESTION.

MR. MELDON asked Mr. Chancellor of the Exchequer, Whether the Government intend to proceed with the adjourned debate on going into Committee on the County Government Bill before the Order for the Second Reading of the Grand Jury Amendment (Ireland) Bill, and when it is proposed to proceed with the said Bill?

THE CHANCELLOR OF THE EXCHEQUER: Sir, unless there should be very great difficulty with regard to our financial Business, I hope to be able to take those Bills on Thursday, the 28th; but I would point out to the hon. and learned Gentleman that the position of the question is that the debate upon the Question that the Speaker do leave the Chair on the County Government Bill—the English Bill—was brought nearly to a close the other evening, but was adjourned in consequence of private Members wishing to continue the discussion. I think it would be more convenient that the discussion they proposed to raise should be conducted on the second reading of the Grand Jury Bill, and if hon. Gentlemen would consent to allow the division to be taken on the Question that the Speaker do leave the Chair on the County Government Bill without further delay, we should propose moving to report Progress, and then to take the second reading on the Irish Grand Jury Bills. That would probably be the most convenient way to meet the wishes of all concerned. The County Government Bill stands on the Orders for to-night. I do not know whether it will be reached before half-past 12, but if it should I hope there will be a consent to allow that stage to be taken, and then we should have the 28th instant open for the Grand Jury Bill; otherwise the English Bill must stand as the first Order of the Day, and the Grand Jury Bill as the second.

MR. RYLANDS said, he should oppose the course suggested by the right hon. Gentleman, because many English Members desired to speak on the County Government Bill.

THE IRISH CHURCH ACT—LEGISLATION.—QUESTION.

MR. PARNELL asked the Chief Secretary for Ireland, Whether, in view of the recently issued Report of the Irish Church Commissioners, he will give facilities for the discussion of the Bill to amend the Irish Church Act, or himself introduce a measure on the subject?

MR. J. LOWTHER: Sir, the statement made just now by my right hon. Friend the Chancellor of the Exchequer will, I think, have prepared the hon. Gentleman for my Answer to the first part of his Question, which is that in the present condition of Public Business it is impossible to place a day at his disposal. With reference to the latter part of his Question, it is not my intention to introduce a measure upon the subject.

MEXICO—REVIVAL OF DIPLOMATIC RELATIONS.—QUESTION.

MR. DILLWYN asked the Under Secretary of State for Foreign Affairs, Whether any steps had been taken to renew diplomatic relations between Great Britain and Mexico; and if so, whether there is any prospect of such a renewal being established?

MR. BOURKE, in reply, said, the question of the renewal of our relations was practically in the same position as it was last year, when the hon. Member for Swansea raised a debate on the subject, and when the views of Her Majesty's Government were stated. Her Majesty's Government had not shown the slightest reluctance to renew diplomatic relations with Mexico, nor thrown the slightest difficulty in the way of their renewal; but, considering the circumstances under which they were broken off, the Government still thought it was not for them to take the initiative in the matter.

MINES ACT, 1872—COLLIERY ACCIDENTS.—QUESTION.

Mr. MACDONALD asked the Secretary of State for the Home Department, Whether, since the occurrence of the Kersley accident, he still adheres to his expressed determination to do nothing more than issue rules for the enforcement of the Mines Act; when the rules will be laid on the Table, and whether the issue of such rules did not imply that the provisions of the Mines Act had been neglected?

Mr. ASSHETON CROSS: Sir, no one regrets more than myself such terrible accidents as that of which we have just heard; but I would point out to the hon. Member that it does not necessarily follow because an accident has taken place that there is criminal negligence on the part of those who looked after the mine. Since I have been in office I have made it a practice of sending down to inquests arising out of colliery explosions a barrister of high qualifications to attend and watch the evidence. Mr. Horatio Lloyd and Mr. Maule have been among those chosen. I have before me Returns of eight cases in which I have sent gentlemen down. In six of those they have reported that no step could be taken to institute a criminal prosecution against anyone; in one the owner and manager of the mine were fined, and in the other a trial took place, in which the jury could not agree, and the Attorney General, on full consideration, recommended that a *nolle prosequi* should be entered. The hon. Member will, therefore, see that steps are being taken to enforce the Mines Acts; and it does not follow that, because there are serious accidents, owners and managers are criminally responsible. Although accidents still occur, their number is diminishing greatly when compared with the number of men employed in mining. The numbers employed for each fatal accident in the year 1851 was 310; in 1861 it was 360; in 1871 it was 440; and in 1876 it was 613. The number of coal miners employed for each life lost by accident was 220 in 1851; in 1861 it was 300; in 1871 it was 350; and in 1876 it was 551. The House will, therefore, see that there has not only been an improvement, but a gradual, steady, and progressive improvement in regard to such accidents. It is quite true that I have thought it necessary to issue a code of regulations for the guidance of the Inspectors, not because I believed that they did not do their duty, but because their previous instructions had been issued from year to year; and were, therefore, not in a connected form, and it was thought better that they should be consolidated into one code. As to the Correspondence between Mr. Moore and the Home Office on this subject, if the hon. Member will move for it, I shall have pleasure in laying it on the Table.

MOTIONS.

SUPPLY.—COMMITTEE.

NAVY—DESIGNS OF SHIPS OF WAR.

MOTION FOR A SELECT COMMITTEE.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on going into Committee [11th March].

Main Question again proposed, "That Mr. Speaker do now leave the Chair."

Debate *resumed.*

Mr. GORST said, that the Motion of the noble Lord the Member for Chichester (Lord Henry Lennox) in regard to the *Inflexible* raised a much broader question than the stability of the ship. It raised the question as to the relations of the Admiralty to the House of Commons; the question, in short, of the control of Parliament over the expenditure of public money by the public Departments. Nothing could be more injurious to the country than that the Constructive Department of the Admiralty should become arbitrary, and that it should attempt to spend money without any control on the part of Parliament, or the public at large. The hon. Member for Pembroke (Mr. E. J. Reed) had made certain allegations with regard to the *Inflexible*, which the Government had been invited, but had failed, to answer. The complaints of the hon. Member for Pembroke, whether they were well founded or not, were at all events perfectly intelligible; but they could not understand the answers given to those allegations by the Admiralty. There were several points on which the taxpayers of the country demanded as a right, full and explicit information before the question of the *Inflexible* was allowed to rest. First, was the hon. Member for Pembroke right in his account of the original design; second, if he was, when, and for what purpose, was that design altered; and, third, why the change of design was never communicated to the House. Why, when a statement was made by the hon. Member for Pembroke last year, the Admiralty did not at once admit the truth of that statement; and why a period of nine or 10 months had been allowed to elapse before it was admitted that the design had been altered? The second allegation of the hon. Member for Pembroke, equally clear and explicit, was that if the unarmoured ends of the ship were destroyed, the central citadel would possess no stability whatever. That statement he understood the Admiralty to contradict. They gave, in the Papers laid before Parliament, a limit of stability of 30 degrees in the condition under which the hon. Member for Pembroke stated there would be no stability. That statement the noble Lord the Member for Chichester (Lord Henry Lennox) had charitably attributed to a clerical error. But how could it be a clerical error? If an error, it was made in April, 1877, and it had not been corrected down to the present time, although the hon. Member for Pembroke called attention to it in May, 1877. The range of stability, it was now said, was 17½ degrees. But even that was in a condition different from that contemplated by the hon. Member for Pembroke. Would the Admiralty now, at the last moment, give the figures which ought to be substituted for the wrong ones of the hon. Member for Pembroke? Would they give the range of stability, and say what was the maximum stability in that condition of the ship in regard to which they said that the hon. Member for Pembroke made a statement that was wrong? If the Government would not answer those questions, surely it was not a proper way of treating the House of Commons. The third statement made by the hon. Member for Pembroke was that the ship, if each end were riddled but not gutted, would have a feeble stability of 24 degrees. The Admiralty said that the range of stability would be 30 degrees, and that by taking out the masts and placing the cables in the hold, the range could be increased to 35 degrees. At the time that statement was made scientific persons asserted that the range of stability to provide against the ordinary roll of the sea should be 39 degrees. It was, therefore, not worth while discussing whether 24 degrees or 30 degrees was correct; because, according to the state of knowledge existing at the time, either amount of stability was too small for safety. There still remained the important question whether the ship was on the whole a safe ship. To form a judgment on that matter they had before them two documents—the Report itself, and what was called the summary of the Report, said to have been also drawn up by the Committee. Having read both, he could not call the latter document a summary, but rather a series of garbled extracts from the Report; and he asked who had put together those extracts and called them a summary of the Report? The Committee came to the conclusion that when that amount of damage which ought to be provided for had been done to the unarmoured ends, the ship would possess a range of stability of 30 to 35 degrees. These figures could not be altered, and the Committee, therefore, rightly desirous to save the credit of the ship if they could, had proceeded, with the aid of experiments, to inquire whether a stability of 39 degrees was really necessary for the safety of the ship. Their conclusion was that it was not, as a water-logged ship would not roll as much as a free ship, and that, therefore, if the *Inflexible* were water-logged, she would be safe with a range of stability of from 30 to 35 degrees, although such an amount of stability would be wholly insufficient for an intact ship. They concluded, therefore, that the hon. Member for Pembroke was mistaken, when he said that a ship in such a condition would be likely to capsize. But, although the Committee arrived at the conclusion that the danger anticipated by the hon. Member for Pembroke was imaginary, they discovered another source of danger—namely, that when holes were made in the unarmoured ends of the ship, if she were moved through the water at any considerable speed, her longitudinal stability might be altogether compromised, and she might go down head foremost. He would leave it for nautical men to say whether such a ship was a safe one? He hoped the First Lord would inform the House whether the Admiralty were now satisfied that the *Inflexible* ought to have had 10 feet more beam, and also whether it was intended to alter the designs of the *Ajax* and the *Agamemnon* so as to give those vessels an increase of beam? Before voting money for ships, the House had a right to ask the First Lord of the Admiralty to state the principles upon which those ships were to be built. He would make a practical suggestion. In the Navy Estimates sums were asked for building four new iron-plated ships, the design of which had not yet been settled. He proposed that the House should refuse to vote any money for the construction of any more iron-plated ships until the First Lord had laid before them, as the Representatives of the taxpayers of the country, the broad principles upon which the vessels were to be constructed. If hon. Members took that course, they would increase the power of the First Lord of the Admiralty and strengthen the hands of Her Majesty's Government, while they would be discharging their proper duty towards their constituents and towards the country.

Mr. GOURLEY thought that the hon. Member for Lincoln (Mr. Seely) had made out a sufficient case for the appointment of the Committee he asked for. If he wanted any evidence in favour of the appointment of a Committee, such as had been suggested, he would find it in the speech of the late lamented First Lord of the Admiralty (Mr. Hunt). No one who ever held the Office of First Lord of the Admiralty took greater pains to master the details of his administration than the late First Lord, and he admitted that the administration of the Navy was in a state of paralysis, and manifested great incompetence and weakness. The Committee which sat in 1871 reported that the *Vanguard* and the *Iron Duke* were so weak below the water-line that if they went aground they would fall to pieces. Had the *Vanguard* been strengthened as the Committee advised, she would not have gone down when struck by the *Iron Duke*, and he now wished to know from the First Lord of the Admiralty, if the *Iron Duke* had been altered and strengthened in accordance with the recommendations of the Committee? With regard to the *Inflexible*, any captain who knew what she was, would direct his guns against her unarmoured ends; and if those were damaged, the citadel would be merely a floating log upon the water. As far as he understood the Report of the Committee, it amounted to this, that the Admiralty had made a mistake in constructing such a ship as the *Inflexible*, and that they ought not in future to build any vessel on the like principle. There seemed to him to be no organization with respect to our ships of war, and if it were necessary to have organization in connection with our Army on land, it was equally necessary that there should be organization with respect to our first line of defence. They could only be guided by experience obtained in actual warfare, and it was during the Austro-Italian war that the discovery was made, that for the purposes of ocean fighting, rams were decidedly the best type of vessel. He would ask the First Lord if the policy suggested by that discovery had been carried out? Then it was demonstrated in the American war that for port fighting and defence small monitors were the best; but that was a class of vessels which we seemed almost to have lost sight of. He would urge the First Lord to build a number of small iron-clad turret-vessels for running in our shallow waters and protecting our coasts. He suggested, also, that torpedo schools should be established in connection with our Naval Reserve ships, and that all officers in charge of our training ships should be obliged to pass a course of instruction at the Torpedo School in Portsmouth. This could be done at very little expense indeed, and would be of enormous benefit, as at the present moment all our large commercial harbours, such as Liverpool, in the warehouses of which there was every day property worth £60,000,000, were completely defenceless. In these days of steam nothing could prevent a daring officer finding his way into our commercial harbours and doing our property enormous damage. He trusted that the First Lord would see his way to the establishment of a torpedo service such as he had suggested, and believed that if he did establish it he would render our ports impregnable. He very heartily supported the Motion of the hon. Member for Lincoln.

CAPTAIN PRICE said, that the question with regard to the *Inflexible* was this, whether she was a safe ship; whether we could send her abroad to defend our interests—and whether we could trust her with the valuable lives of our officers and men? He would not touch on the question whether the original design of the ship had been accurately carried out. He would only ask the hon. Member for Pembroke, whether he could point to any of our modern ships of war which had been completed on the original design? The hon. Member for Pembroke had stated that if the unarmoured ends of the *Inflexible* were destroyed she would capsize, and he thought it probable that such an event might take place early in an engagement. The Committee of last year, however, came to a different conclusion; they were of opinion that such a contingency was not at all likely to happen early in an engagement, and that it was in the highest degree improbable, even in an engagement prolonged to any extent that could be reasonably anticipated. He wished to show how impossible it was that such a contingency should occur. To whom were they to refer? Admirals Hood and Boys thought it highly improbable that the ship could be so seriously injured. He argued that the target presented by the *Inflexible* was of such a character that in the case of one-half the iron-clads of the British Navy, she could not be materially damaged by the largest guns. He did not, however, mean to infer that she would be able to withstand the combined attack of a large number of vessels; but that the particular contingency anticipated by the hon. Member for Pembroke—namely, the blowing out of the cork and stores from the unarmoured ends—could not be brought about by the fire of any number of vessels. The right hon. Gentleman the Member for the City of London (Mr. Goschen) stated the other night that he had taken the advice of an experienced artillerist on the subject, and that it would require that 300 large shells should be fired into that particular part of the *Inflexible* before anything like the destruction of which the hon. Member for Pembroke spoke could be effected. On striking a ship, the fragments of a shell were thrown forward into the ship—not outwards—in a cone of dispersion. Now, an experiment had been made in Vigo Bay in 1870 or 1871, in the case of the *Monarch* and the *Hercules*, which were taken out to fire at a huge rock 600 feet long and 60 feet high, at a distance of 1,000 yards, and with a calm sea. Arguing from these experiments, Captain Colomb, an experienced gunnery officer, found that a target represented by the side of an iron-clad could be struck only from two to 15 times in 100 shots—that was to say, that this might be the percentage of shots striking a target, say, 350 feet long by 20 feet high; but, in the case we are now considering, our target was about 200 feet long and 7 feet high, of which 6 were under water. Therefore, only 4 per cent would strike, and 7,500 shots would have to be fired. That experiment went to prove that half the sea-going iron-clad Fleet of Russia might fire the whole of their ammunition at the *Inflexible* without striking her in that part with such a number of shots as the right hon. Gentleman the Member for the City of London had mentioned. The hon. Member for Pembroke, however, contended that the water-line might be easily hit; but neither the experience derived from a period so far back as the battle of Trafalgar, nor from the encounter last year between the *Shah* and the *Huascar* bore out that view. At Trafalgar the *Victory* had only received "some" shot between wind and water, the *Revenge* nine, the *Defence* five, and the French *Rédoubtable* "several," but it could not have been a very large number, as she did not sink until the next day. In the fight between the *Shah* and *Huascar* the Peruvians themselves acknowledged that the hull of the latter was only struck by seven shots, one of which merely went near the water-line. Admiral Hamilton, in a letter to *The Times*, had stated what was, in his opinion, likely to happen. "Practical experience," he said, "shows how little damage is done by an apparantly overwhelming fire;" and he had had as much experience as any one of the behaviour of ships under fire, so that his view of the subject was probably correct. In that particular instance, he was speaking of the old *Penelope*, which was aground under the forts of Bomarsund for a considerable time without sustaining any injury to her machinery, exposed as it was. The experiences of the American War were of the same kind; and, in fact, all the lessons of practical warfare went to show that the contingency suggested by the hon. Member for Pembroke was extremely unlikely. It was singular that neither the hon. Member for Pembroke, nor the noble Lord the Member for Chichester, nor the hon. Member for Lincoln, had been able to point to any authority in support of their assertions. The truth was that their fears were ludicrous, and he hardly understood why the Admiralty had submitted to the Select Committee such a question as the destructability of the unarmoured ends; or how an august Assembly such as this could make it the subject of two nights' debate.

ADMIRAL EGERTON said, that he would not follow the hon. and gallant Member through his speculations as to the number of shots necessary to damage the *Inflexible;* all he could say was, that if his view was right it would seem difficult to injure an iron-clad at all. As for the Committee on the *Inflexible*, the verdict, roughly stated, was "Not guilty; but don't do it again." It certainly seemed from the Report of that Committee that the hon. Member for Pembroke had over-estimated the possibility of danger to the ship, and that the views of the hon. and learned Member for Chatham (Mr. Gorst) were more correct. Exception had been taken to the composition of the Committee, on the ground that its Members were all more or less connected officially with the Admiralty; but surely no one could be a better President of it than Sir James Hope, while its other Members were men of almost European reputation, whose bias was not all in favour of the Admiralty. One thing he was very glad of, and that was, that the rules of the House precluded them coming to a division on the question. It was far better that it should be left in the hands of the right hon. Gentleman the First Lord of the Admiralty.

MR. RITCHIE remarked, that though he had no special knowledge of the subject, it might, perhaps, be useful for one not possessing such special knowledge to express the opinion to which he had come from consideration of the evidence. He could not by any means agree with the suggestion of the hon.

and learned Member for Chatham, that the Admiralty should take the House into its confidence and virtually ask it to approve of all new naval designs. That would be a very unsatisfactory and dangerous mode of proceeding, as if the House were to be consulted, there would be so much difference of opinion expressed, that there would be little likelihood of any progress in the dockyards; confusion, in fact, would be worse confounded, and we should also be showing our hand to our neighbours, and making public all our designs and all our advantages. That would surely be very undesirable, especially in the case of a new type of ship like the *Inflexible.* The hon. and gallant Member for Devonport (Captain Price) had rightly said that the question whether the existing *Inflexible* was identically what she had been designed to be, was not the important point, and the hon. Member for Pembroke (Mr. E. J. Reed) had laid too much stress on his dispute with the Admiralty, and too little on the real merits of the ship. His original charge was a very grave indictment against the ship, and lay in the statement that she was almost certain to capsize if brought under shell-fire, and that she had no reserve of stability for fighting purposes. The attention of the Committee had very properly been drawn to that point, and the fullest possible information was at its service, together with the complete statement of the hon. Member for Pembroke; but the conclusion come to, in his opinion, exploded the charge against the ship. The noble Lord who had brought forward the Motion did not agree with that view of the subject. The noble Lord said the Committee stated that the *Inflexible* would not be able to turn on her helm if the cork and material were blown out in action; but he had omitted to tell the House that the Committee had reported that that was a condition to which she ought not to be reduced under any circumstances; and that if she had water ballast, as she would have, she could encounter waves of considerable magnitude and turn on her helm. No doubt, she would be in a critical position in the face of a powerful enemy under the circumstances supposed; but the Committee said they could not conceive it to be at all probable that the ship would be reduced to such a condition. The *Inflexible* carried guns capable of penetrating the armour of any ship afloat, while her vital parts were protected by armour that no guns could penetrate, and yet they were to suppose that in an engagement she would be reduced to that dreadful state, and that her enemy would be comparatively uninjured. They were to suppose that her fire had no effect on the enemy, and that she was alone in the engagement—two circumstances that were extremely improbable. But the Committee went further, and said that that contingency was impossible, unless she entered into an engagement into which she ought not to enter at all. But even then, with care and with water ballast, she would be capable of being handled and taken out of action. The noble and gallant Lord the Member for Waterford (Lord Charles Beresford) had shown that, in consequence of the very small mark that ship would present to an enemy, it would be almost impossible to hit her while moving amid the smoke and under the other circumstances necessarily associated with naval warfare. It was said that these difficulties would tell also in favour of the enemy; but it would tell much more in favour of the *Inflexible*, because while the latter presented a very small portion of vulnerable material to be fired at, any other iron-clad ship which attempted to attack her would have the whole of the citadel exposed to the fire of the *Inflexible*, which he understood would be sufficiently powerful to penetrate any armour she might possess. The conclusion he arrived at, therefore, from the Report was that the only chance of the *Inflexible* being successfully attacked was by a ship carrying a broadside armament, and such a ship must necessarily be a thin-plated ship. He wanted to know what the *Inflexible* would be doing with her heavy guns to allow a thin-plated ship to come up and attack her in the way supposed? The Report of the Committee amounted to this—that, if probable contingencies were taken into account, the *Inflexible* could not be seriously injured; that in improbable contingencies she might be seriously injured, but that even then she could be taken safely out of action. In conclusion, he thought the opinion which had been expressed by so high an authority as his hon. Colleague (Mr. Samuda) in regard to using one iron plate instead of two to defend the citadel was well deserving the attention of the Admiralty.

SIR MASSEY LOPES said, that the Admiralty had no reason to complain of the discussion which had arisen about the *Inflexible*. The noble Lord the Member for Chichester (Lord Henry Lennox) had introduced that subject in a very able and temperate speech, while the hon. Member for Pembroke (Mr. E. J. Reed) was one of the highest authorities in that House on shipbuilding, and the Government did not find fault with any fair criticisms which might proceed from him. That discussion had been neither Party or personal; it had been initiated by the hon. Member for Lincoln (Mr. Seely), whose object was the appointment of a scientific Council of Construction, to be attached to and to assist the Constructive Department of the Admiralty. Now, he felt that such a Council would tend rather to disorganize, than to help good administration; it would awaken rivalries and jealousies, and he was satisfied it would be the greatest possible mistake to weaken the responsibility, either of the Constructive Department, or of the First Lord of the Admiralty. The speeches and letters emanating last Session from the hon. Member for Pembroke in regard to the *Inflexible* were calculated to raise a feeling of alarm and insecurity in the country, and it was then rendered almost impossible but that there should be a Committee to inquire into that matter, although the late First Lord of the Admiralty was exceedingly reluctant to adopt that course. For himself, he was very glad that that Committee had been appointed; and he must say, in justice to the late First Lord, that he believed no man could have taken more interest, or evinced more anxiety, than Mr. Hunt had done on that subject, as to which he had been in constant communication and consultation with naval officers and his Colleagues at the Board. Now, the Report of the Committee was written by the Committee, and the Committee alone. The composition of the Committee was the best that could have been made. The hon. Member for Pembroke had raised a doubt whether all the references to the Committee were written by the same pen. He (Sir Massey Lopes) was prepared to say that the late First Lord of the Admiralty, after he left this country for Homburg, wrote there himself those references, and sent them from Homburg to the Committee. No one was a party to those references but himself. One of the charges made by his hon. and learned Friend the Member for Chatham (Mr. Gorst) was that the designs of this ship had been altered. He (Sir Massey Lopes) was prepared to say that in no respect had there been an alteration in the designs of the ship.

Mr. GORST: I never said the designs had been altered. I said that the right hon. Gentleman the Member for the City of London said they had been altered, and I asked the Admiralty whether they had been altered.

Sir MASSEY LOPES begged his hon. and learned Friend's pardon if he had misrepresented him. At all events, the hon. Member for Pembroke said there had been alterations in the designs of the ship. He (Sir Massey Lopes) was prepared to say that the designs had never been altered since they had been verified by the Committee. The only alteration that had been made in the ship since the first design was the alteration of putting in 80-ton guns instead of 60. The cables and masts had not been altered, as was alleged; but it had been suggested that in consequence of the change in the guns, it might be necessary to take out the masts and restore the cables. He thought anyone who read the Report of the Committee must be of opinion that it was a careful, exhaustive, and conclusive Report; that it was an honest, truthful statement; that there was no ambiguity in it. The verdict of the Committee was simply this—that the *Inflexible* was a safe sea-going ship; that the apprehensions were groundless, and that the allegations that had been made against her were unfounded. That she was safe and stable under the ordinary circumstances of a naval action. That the assumed conditions of the hon. Member for Pembroke, if not impossible, were extremely improbable, and problematical, and that even under the extreme conditions of the hon. Member's hypothesis—that was, destruction of unarmoured ends—there was a requisite reserve of buoyancy. He thought the hon. Member for Pembroke had been somewhat too hypercritical. He admitted the hon. Member's technical knowledge, but he was not infallible. He was a great authority in shipbuilding, but this was also a gunnery question. He (Sir Massey Lopes) believed it was impossible to build a perfect ship, that an indestructible and invulnerable ship was an impossibility. That absolute safety could not be attained, and that the endeavour to secure absolute immunity from danger in any ship would be illusory. It was the duty of the Constructive Department to employ all their skill and resources in minimizing danger; but he was afraid it would be impossible for them to design a ship which would disarm all criticism, or build a ship which the ingenuity of man would be unable to destroy.

Mr. D. JENKINS thought the country might be congratulated on the Admiralty having moved slowly, instead of too fast, in the direction of the views of the hon. Member for Lincoln. We might now have had a large number of useless iron-clad ships, if the Admiralty had gone too fast, for the types of ships constructed 10 years ago were to day absolutely obsolete. And yet, slow as our progress had been, we had kept ahead of every other maritime Power. Notwithstanding drawbacks, our ships had always been found equal to the occasion; and he believed they always would be, so long as they were handled with that skill for which the officers of the Royal Navy were noted. He knew nothing of gunnery, and had no special knowledge of shipbuilding; but he had come to the conclusion that, although the *Inflexible* had not fulfilled altogether the original designs, she was as safe and as seaworthy as most of the iron-clads in Her Majesty's Navy. He was pleased to hear that the most recent additions to Her Majesty's Navy were vessels of a very high class; but inasmuch as the type of fighting ship was continually changing, he thought the fewer that were either bought or built at the present time the better, provided we kept ahead of all the other maritime nations of Europe. The hon. Member for Pembroke had advocated an increase in the number of the smaller types of ships; but he differed from the hon. Member upon that point, because, as the introduction of torpedoes had lessened the risk of invasion, we now required vessels of great speed and carrying heavy armour, qualities which could only be secured by increasing their size. It was all very well to race a short and small ship against a large one in the quiet waters inside the Isle of Wight; but in a heavy sea the larger ship would win. The hon. Member for Pembroke had spoken very highly in praise of the circular iron-clads; but those vessels appeared now to have quite died out, and nothing had been heard of them during the Russo-Turkish War. He could not join in the condemnation which had been pronounced on the unarmoured ships of the *Shah* type; because those vessels possessed a high speed and carried heavy guns, and were altogether more efficient cruisers than iron-clads would be, while they formed admirable nurseries for our seamen and naval officers. He hoped that the present First Lord of the Admiralty would follow in the footsteps of his Predecessors; because he believed, with all its drawbacks, our Navy was far before that of any other maritime Power in the world.

LORD ESLINGTON observed that the proposal of the hon. Member for Lincoln involved an administrative change in our naval affairs of great importance, and inasmuch as it also involved a question of expenditure, all Members of that House were justified in taking a deep interest in it. It was natural that the chief interest in this discussion should centre round the *Inflexible;* but that subject having been fully and ably discussed, he should not touch upon it further than to say that the case of that vessel formed the strongest possible argument in favour of the proposal of the hon. Member. The proposal of the hon. Member was that a scientific body of persons independent of the Admiralty should be constituted to assist the Admiralty with their advice and opinion on matters connected with the construction of ships of war. That proposal was not a new one, it having been advocated some 20 years ago by Admiral Elliot and having been supported by Sir Baldwin Walker, the then Controller of the Navy, subject to the proviso that the power of such a body should be limited to inquiry and reporting, in which case it would relieve the Admiralty from some of the most difficult and disagreeable portions of their duty. His view entirely coincided with that expression of opinion. The proposal of the hon. Member had been, as was natural, opposed by two Members of the Board of Admiralty who had urged two objections against it, one being that if adopted it would disturb the ordinary work of the Admiralty, and the other being that it would relieve the Admiralty from responsibility. The first objection was one which a Department always raised to any proposal for an innovation, and could not be held good when it could be shown that the adoption of the innovation would secure a material advantage for the public. With regard to the second objection, if he thought that the constitution of such an outside body as that proposed to be formed would in any way lessen the responsibility of the Admiralty and of the First Lord, he would gladly range himself side by side with those who opposed this Motion, and would do battle with them on behalf of what he conceived to be the great principle of Departmental responsibility, which he conceived underlay our whole system of Parliamentary government. But he could see nothing in this Motion which attempted to infringe upon the responsibility of the Admiralty or of the First Lord. The Admiralty would select the gentlemen who composed this body, they would refer designs to them, and would accept or reject their recommendations; and, therefore, the responsibility throughout would rest wholly upon the Admiralty. We lived in an age when competition was the ruling spirit that underlay all our public Departments, and he was not going to say whether we were the better or the worse for riding this hobby as hard as we had done, and when science was the ruling spirit of every branch of industry. A ship of war was the most perfect scientific machine we possessed, and it was, therefore, most extraordinary that in a Department engaged in the construction of these machines competition should be absolutely tabooed. There was no such thing as competition in the Admiralty, and what was the result? The consequence was something very like a national scandal, because whenever a new ship was brought out there was an unseemly wrangle. It was so in the case of the *Captain* and the *Devastation*, and now they saw it in the case of the *Inflexible*. He could not help thinking if there was a consultative body outside the Admiralty and independent of it, but assisting it by its advice and reports, it would go a great way to put a stop to these wrangles. That was one of the main reasons why he was very much in favour of the proposal of the hon. Member for Lincoln. The Admiralty Administration was a fortress of no ordinary strength. It had been well defended by the able men who composed its garrison. They must do their duty, but they must expect to be well hammered in the attempt. These attacks would, he hoped, be conducted with good temper and moderation; but they must be persevered in, for they did a great deal of good by keeping the garrison alive to their duty, and preventing wild and foolish sorties. He said nothing against the distinguished men who formed the Constructive Department of the Admiralty; but why should competition, as a rule, be excluded, and why should the officers in that department be judges in their own cause? A Committee might be formed, but the ultimate judge was the originator of the design. That did not seem consistent with what a fair investigation should be. The great spending Departments of the Army and Navy must have at all times great elasticity in their work, in order to meet unforeseen contingencies and disturbing influences; but that argument did not apply to the Constructive Department. It was one of the most deliberate councils, and, in truth, rather slow in its action, being behind both the trade of this country and foreign nations in the adoption of scientific improvement. If a fresh body in the shape of a consultative council were appointed, probably it would go a little faster when the scientific improvements to be adopted were of known value and importance. It could not have a good effect that a great maritime Power like England should be found year after year squabbling about the latest designs of its ships, and it was with the view of putting an end to such a state of things that he supported the Motion of the hon. Member for Lincoln.

Mr. R. W. DUFF observed that if he thought the appointment of another Committee at the Admiralty would have the effect anticipated by the noble Lord who had just spoken, he should cordially support it. He could not approve the proposal made by the hon. and learned Member for Chatham (Mr, Gorst), that the designs of our ships should be submitted to a Committee upstairs. Nothing could be more mischievous. They had enough to do upstairs without attempting to solve important scientific questions. With reference to the *Inflexible*, his opinion was entirely favourable to the ship, and he was glad to find that all naval officers in the House, with the exception of the hon. and gallant Member for East Derbyshire (Admiral Egerton), had expressed general confidence in her. He did not know that it was altogether wise to put so many eggs in one basket, or to spend so much money on one ship; but if we were to have first-class men-of-war, able to carry large guns and resist the armament of the best ships of foreign nations, it was the duty of the country to have ships like the *Inflexible*, which, he believed, was the most formidable vessel afloat. An absolutely perfect man-of-war—that was to say, a vessel that could carry heavy guns, resist modern artillery, have great speed, carry fuel, accommodate her crew, and have a moderate draught of water—was an impossibility. What they had to consider was, did all those requirements bear a due proportion? He was prepared to maintain that in the *Inflexible* a just proportion had been maintained. He thought it very improbable that the unarmoured ends would be shot away; and looking to all the requirements of a ship for modern purposes of war, he must regard the *Inflexible* as extremely satisfactory. In some able remarks that were made by Captain Wilson, of the *Thunderer*, at the United Service Institution, it was stated that in action at 1,200 yards only 25 per cent of the shots that were fired were likely to take effect; and that was about the proportion that did so in the recent engagement between the *Shah* and the *Huascar*. But it was, perhaps, an under-statement that it would take 300 effective shots to produce any result on the unarmoured ends of the *Inflexible;* for shells penetrating the cork went through it without exploding, and it would require the punching of multitudinous projectiles to get rid of it. As this was almost impossible, there seemed to be full justification for the conclusions arrived at by the Committee. The charge made by the hon. Member for the Tower Hamlets (Mr. Samuda), that two plates of 12 inches each had been used where one of 16 inches would have been equally strong was, he thought, based upon an erroneous assumption that the greater resistance of solid plates bore the same proportions for all thicknesses, whereas the proportion diminished with the increased thickness of the plates. They might pay some attention to what was said by foreign critics; and Mr. King, Chief Engineer of the United States Navy, said that the *Dreadnought* was the most formidable fighting ship in the world next after the *Inflexible*, which would be the most powerful vessel ever floated. That was the opinion of an independent witness, and it was an opinion which he found was generally shared by naval officers out-of-doors. In the course of discussion reference had been made to the character of our ships on foreign stations; and that was manifestly an important question. He admitted that our Mediterranean Fleet was a grand one, and worthy of the maritime greatness of the country; but the ships on our foreign Stations did not correspond with that Fleet, nor with the maritime and Colonial interests we had to protect. Many of those ships were so badly armoured that they could not fight, and so slow that they could not run away. In the encounter referred to the *Shah* might have been sunk, and the Admiral said it was providential she was not. Talk of humiliation! England had not been so humiliated as when an Admiral's flag was nearly sunk by the buccaneering vessel of a third-rate Power. If the *Shah* had been sunk by the *Huascar*, the Admiralty would never have heard the last of it, and he hoped they would take that lesson to heart, and not send such ships out. England ought to have first-rate ships of the *Inconstant* and *Triumph* class in the Pacific, at the Cape, and the East Indies, so that the smaller vessels might rally round them in cases of emergency. He hoped the Admiralty would consider this matter, and let them have some iron-clads on foreign stations worthy to carry the British flag. At the time of the Crimean War, the appearance of two or three Russian frigates off the American coasts occasioned no little apprehension to those engaged in our maritime trade. He was not an advocate of "bloated armaments," he did not want to see more money expended than was necessary; but we ought to reflect on the enormous property we had on the ocean, and the many Colonies we had to protect. The value of ships at sea belonging to British capitalists had been estimated by Mr. Cobden in 1863 at something between £100,000,000 and £120,000,000 sterling, and he had been told that it had since then almost doubled. That was some reason for our having better ships than we had at present on our foreign stations. He wished to ask the Admiralty whether it was true, as stated by Sir Garnet Wolseley in *The Nineteenth Century*, that two iron-clads might sweep the Southern Ocean of our commerce and then come down upon our Stations at St. Helena and the Cape of Good Hope? While we spent £11,000,000 a-year on a Navy in which we had 550 effective ships, the First Lord ought to be able to say that such a contingency was not possible, and that he would not have Admirals writing home that it was providential they had not been sunk in casual conflicts. He trusted that the Government would realize the necessity of placing better ships on our foreign Stations, or be able to show the fallacy of the calculations of Sir Garnet Wolseley.

SIR JOHN HAY said, he was sorry still to delay the statement of the right hon. Gentleman the First Lord of the Admiralty with regard to the Navy Estimates; but there were several points referred to in the discussion on which he wished to express an opinion. First, with regard to the *Inflexible*, he confessed the appointment of the Committee last year had given him entire satisfaction. The name of the Chairman, Admiral Sir James Hope, was a guarantee for the impartiality of its proceedings and the completeness of the inquiry. He could not conceive a Committee selected with more care, or more capable of expressing an opinion upon the questions submitted to them by the Admiralty, and he was sorry to hear the hon. Member for Pembroke cast some sort of slur upon the men who formed that Committee. It was necessary to have on the Committee gentlemen of recognized ability. They were selected with singular fairness, and their Report ought to be a guide to the House, the Admiralty, and the country. They might go on inquiring till Doomsday and they would not get a Report which was more satisfactory. The *Inflexible* was one of the most powerful ships in the world, and in the severest naval engagement would be the most formidable, not only at its beginning but at its end. It was impossible to build a ship which was unsinkable or which was not liable to some naval disaster, especially if she was badly handled; and hon. and gallant Officers on both sides of the House had shown how extraordinarily improbable were some of the conditions which were required to sink the *Inflexible.* She was, no doubt, destined at first to carry less weight in the middle; but the right hon. Gentleman the Member for the City of London (Mr. Goschen) had fairly stated the reason the additional weight had been resolved upon—namely, that it was found necessary to equip her with heavier guns; and, seeing what foreign nations were doing in the way of naval ordnance, it would have been absurd not to place on the *Inflexible,* a ship costing £500,000, the heaviest armament she could possibly carry. No doubt, as long as she had only the 60-ton guns she would be absolutely stable even when her ends were destroyed, and the additional weight had given the ends a little more to carry. It was, however, impossible she could be deprived entirely of the support of her ends; and after the Report of the Committee he trusted the House, the country, and the seamen would feel full confidence in the ship. He was by no means sure that, in these days of torpedo warfare, it was altogether wise to build such big ships. They could build ships of 3,000 or 4,000 tons, which could carry the heaviest armaments; and he congratulated his right hon. Friend the First Lord of the Admiralty on one of the purchases he had recently made for the nation—he alluded to the *Belleisle.* That ship had been designed by Achmed Bey, who had designed one of the finest ships in the world. The *Belleisle* was built in this country, and whoever had the credit of building her —and he thought he saw an hon. Gentleman opposite (Mr. Samuda) who had something to say to it—she was a model for all shipbuilders. Well, if they could get a ship to carry 80-ton guns which would cost less than £500,000, such a ship would be, in some respects, more available for service than the *Inflexible* could be. A light draught of water was inconceivably desirable. A ship with a draught of 27 feet could not approach fortifications and harbours as the *Belleisle* with a draft 10 feet less could. It was true her speed was not so great as that of the *Inflexible* would be, but a speed of 12·7 knots—practically 13 miles an hour—was a good and useful speed; and the *Belleisle* would turn more rapidly than the *Inflexible* could, which was 70 feet or 80 feet longer. It was true that she had only four 25-ton guns; but they might instead place one 100-ton gun on board of her. Altogether, she was a most valuable addition to our armour-clad Navy. He had seen the *Belleisle* at Chatham, and every naval man whom he had spoken to on the subject declared that she was the type of iron-clad for which they had been seeking for many years. Allusion had been made to our naval force on foreign stations. He remembered that in 1865 it happened that a large, powerful Spanish iron-clad —the *Numancia*—proceeded to the Pacific and bombarded the town of Valparaiso in order to enforce some claim. We had there but one wooden frigate, which was anchored in-shore, and the Spanish Admiral requested her commander to take her out of the way, a thing he was most reluctant to do. There was a ship without armour which might have had to encounter a powerful iron-clad. Immediately afterwards there was a change of Government, and the First Lord (Lord Hampton) did, as no doubt his Predecessor in office would have done—he sent out an iron-clad, the *Zealous,* which was relieved by the *Repulse,* and thus for nine years an English iron-clad was flag ship in the Pacific. But in 1874 it was difficult to get a relief ship, owing to the unfortunate condition of our Navy three years ago, when we had only 12 or 13 efficient iron-clads, but with boilers in a bad condition. The *Shah,* a heavily armed unarmoured frigate of 6,000 tons, was sent there, and was attacked by an iron-clad of 2,000 tons, which, after attacking her, escaped from the larger and apparently more powerful vessel. He should be glad speedily to hear of the *Shah* being removed from those waters, because she was a sham, and the Admiral's flag hoisted on board a corvette until a suitable ship, say the *Triumph,* was ready to take her place. They must remember that not only Chili and Peru, but Russia also had iron-clads in the Pacific. Altogether, there were at the present time nine iron-clads belonging to different nations in the Pacific; and England, no matter what European complications might arise, ought to have there a much larger force than she had at present. With regard to coaling stations in distant waters, too, the position of England was by no means satisfactory. Russia had coaling stations in that quarter of the globe, from which she could despatch a number of small ships of war to our Australian Colonies before we could be ready, as things stood at present, to meet them. The account recently published of the new Russian dockyard and establishments at Vlactivostoc, in the Corea, by Captain Bax showed the preparations that Power was making in that quarter of the world. Under the system of war now adopted, the Russians would not feel it necessary to burn the towns. They would make them pay for their release from that calamity; but it would be very unpleasant to know that Sydney or Adelaide had been compelled to pay a large contribution to Russia. Observations had been made as to the amount of the Navy Estimates, and he had no doubt that his right hon. Friend the First Lord of the Admiralty would be able satisfactorily to explain what he had done with the money. He had, without doubt, strengthened the Navy, and it did not matter whether he did this by building ships or buying them, especially if he could go on buying *Belleisles*. Mr. Corry used to say that we could have an efficient Navy for £12,000,000 a-year, and that was exactly the sum the First Lord asked for, as the Navy Estimate was £10,500,000, and £2,000,000 would be given to him from the Vote of Credit. It had been a fortunate thing for his right hon. Friend the First Lord of the Admiralty, that certain European complications had enabled him to buy in this country two of the finest ships in any Navy, in addition to the splendid iron-clad the *Superb*.

Mr. BENTINCK said, it had been frequently his fate to express himself dissatisfied with the Navy, and to appear in the unpopular character of *laudator temporis acti*. He regretted that he could not appear in any different capacity on the present occasion. He did not regard the Estimates which had been placed in their hands in the course of this debate as satisfactory. His right hon. Friend the First Lord of the Admiralty might be able to put the Estimates in a satisfactory light; but the debate had simply shown that, although they had amongst their iron-clads hardly two types alike, there was not one of them which was not open to severe criticism from the highest authorities. In the *Inflexible* they had the latest attempt of the Admiralty to construct an iron-clad, and it was a moot point whether that ship was fit to go into action or not. The design of the *Inflexible* was nothing but a barge with a long bow, an enormous packing case with one fine end; and that was what the science of the latter half of the nineteenth century, combined with the present mode of conducting affairs, had brought them to. It appeared to him that there was a total want of system and knowledge. He admitted that the question was replete with difficulties, and that they were in a state of transition; but he thought that they might, after a quarter of a century's experience, contrive to build iron-clads which were not susceptible to the criticism which they had received. He thought that there must be something wrong elsewhere than in the vessels, and that the defect was to be found in the constitution of the Board of Admiralty. In his opinion, a naval man ought to be at the head of the Admiralty. If a civilian were to be placed at the head of the Admiralty, he admitted that no more capable man than his right hon. Friend could have been selected; but he (Mr. Bentinck) had always held that the duties of the Office could be far better performed by a naval man. In his opinion, there was something radically wrong in the constitution of the Board of Admiralty. He did not consider that any benefit would be derived from the appointment of the Committee which had been suggested. On one occasion he had the honour of being a Member of a Committee consisting chiefly of ex-First Lords and ex-Secretaries. That Committee sat for two months, making speeches apparently for the purpose of explaining to the country that, during their time of office at the Admiralty, everything went well; and at length matters came to such a pass that he came down to the House in order to withdraw his name from the Committee, inasmuch as its proceedings led to a great waste of public time. If the Motion of the hon. Member for Lincoln (Mr. Seely) was carried, it would lead to a repetition of that solemn farce, and he therefore hoped the House would not revert to that old system. He could not help thinking that the House of Commons now found itself employed in trying to repair the errors of previous legislation, and in trying to find a remedy for one of the greatest blunders that had ever been committed in connection with the naval affairs of the country, and that was the abolition of the old Navy Board. He thought the best thing that could be done would be to re-constitute that Board. In his opinion, the country had not a sufficient reserve of ships. In the old days, when a Fleet was sent to sea, there was a reserve of three or four ships to supply the place of any casualties that might occur. But where was our reserve of iron-clads at the present time? Such was the deficiency of our Navy last year, that we had not an iron-clad available to send to sea, and had to despatch an unarmoured frigate, the *Shah*, to the Pacific Station as flag-ship. That was a most serious state of things that ought not to be tolerated for a moment, considering that so large a portion of our Navy consisted of vessels which, like the *Vanguard*, might sink from a mere poke in the ribs. There was another point to which he wished to call the attention of his right hon. Friend the First Lord. He had always contended that at foreign Stations we should have ships that were not entirely dependent upon steam, but ships which were capable of being handled under canvas; but he doubted whether at present we had more than one or two ships of that kind. He was convinced of the necessity of having a large fleet of fast cruisers, which should be able effectually to protect our commerce in the event of war, with sufficient power to defend themselves, and to enable them to destroy the ships of any Power with which we might come into contact. Nobody, he supposed, imagined for a moment that if we went to war we should consent to be bound by that piece of folly called the Declaration of Paris, and a fleet of fast cruisers was, consequently, a necessity. This country depended upon the Navy for the protection of her greatest interests, and if the Navy was inefficient, England would cease to be a great country. Every Englishman, therefore, was bound to do his utmost to support the Government in maintaining the efficiency of the Navy of this country.

Mr. W. H. SMITH said, he would endeavour, as shortly as possible, to answer the remarks which had fallen from several hon. Members during the two nights the present discussion had already occupied. It would probably be most convenient to the House if he first referred to the Motion of the hon. Member for Lincoln, who had asked for a Committee to consider the way in which the business of the Admiralty was conducted, especially with reference to the construction of ships; and he should be the very first person to approve an inquiry into evils which had been shown to exist, and the very last to object to criticism, especially the criticism of the House of Commons. Nothing was, he believed, more healthy or more calculated to produce good in the administration of a Public Department than that the full light of criticism, both from the House of Commons and the Press, should be shed on its proceedings. At the same time, he ventured to think that the present was not the best occasion for the appointment of a Committee of Inquiry into the conduct of the Constructive Department of the Admiralty. The proposal was inopportune. Many hon. Gentlemen had referred to the fact that the Department was overworked, that its duties were exceedingly heavy; and although they might have disapproved of a portion of the work it had done, they admitted that, upon the whole, the work was exceedingly valuable. Yet, although differing among themselves as to the grounds on which a Committee should be appointed, many hon. Members supported the Motion at a time of difficulty and grave responsibility, in order that the members of the Board of Admiralty might be practically put upon their trial, and that they should be brought down to the House at least two days in the week to give information to hon. Members sitting upstairs, at great cost of time and trouble, and to the consequent neglect, to some extent, of the grave and important duties with which they were charged. Now, in his opinion, no good case had been made out for granting the proposed Committee. It had been admitted that, with all its shortcomings, the result of the work done by the Admiralty as it now existed was a good result; that we had very fine ships heavily armed, and capable of going at great speed; that there had been a great development of inventive genius, and quite as much readiness as there ought to be to accept inventions which had been proved to be useful. He, therefore, must deprecate in the strongest possible way an attempt at the present moment to interfere with work which was, he thought, on the whole, well done. And if it was not well done, who, he would ask, was responsible for that state of things? He was responsible for it at the present moment, the same as his Predecessors in the Office of First Lord were responsible when they were at the head of the Board of Admiralty, and the responsibility of the Admiralty included the Constructor's Department. It was a mistake to suppose that the Constructor's or any department of the Admiralty were an irresponsible body. The Constructors were responsible first of all to the Board of Admiralty itself, and the Board of Admiralty was responsible to Parliament and the country. It would not, in his opinion, be possible to lay down a more unsound or dangerous doctrine than to say—"Well, these gentlemen are a powerful body; they have done their work as they thought fit to do it, and you, a Minister of the Crown, really cannot be held responsible for their conduct." If the Minister of the Crown was not responsible, he was not fit to be in the position he held. If a Minister of the Crown did not see that the work of his Department was properly done, and if he was not prepared to accept the full responsibility for all its shortcomings, he ought no longer to occupy his Office. He was therefore prepared, unequivocally, to accept the responsibility of the Department over which he had the honour to be placed, and, as experience might show to be necessary, to ask the House for additional strength for the discharge of its duties. He would now endeavour, as far as he could, to reply to the other observations which had been made in the course of the debate, believing that he had said sufficient by way of answer to the speech of the hon. Member for Lincoln. Reference had been made to the French system, under which there was a *Conseil des Travaux*, which assisted the Constructive Department of the French Government. It was, of course, impossible to speak too highly of the intelligence, skill, and scientific ability of the French Naval Constructors. They were a most competent body of men; but he thought it would be found, on inquiry, that the system which prevailed in France at the present time could not be accepted as one which conduced to the rapid execution of a successful scheme or design. He believed it to be the opinion of the most able and most trustworthy Constructors that the very Council which had been so strongly recommended by some hon. Gentlemen was in itself an evil. Considerable care was devoted to the examination of designs for ships; but the Council was in itself an irresponsible body. It was not charged with the grave responsibility of executing the work. In the nature of things, a body of gentlemen called upon to examine a design submitted to them could scarcely endorse and pass it *en bloc*, and the result was, not unfrequently, that modifications were suggested which the constructor who had submitted the design accepted; but the Constructor did not accept those modifications as improvements of his design, but as, on the whole, the best course which he could follow under the circumstances in which he was individually placed. The result was that an inferior design to that which would have otherwise been adopted was taken, because responsibility was frittered away and lost; and undoubtedly there was great delay. The hon. Member for Lincoln (Mr. Seely) had remarked that some of the ships had been a long time building, and that changes had been made in the course of their construction. He had asked that very day for a Return which referred to three French ships, and he found that one was commenced in 1870, launched in 1876, and remained yet incomplete. A second was begun in 1870, launched in 1875, and finished about the middle of 1877; while a third, which was commenced in 1865, was not launched till October, 1873. Those facts, he thought, showed that our system did not involve greater delay in the building of ships than existed in France, although he admitted that there had been great delay in the case of one or two of our ships. The *Dreadnought* had been delayed because, while she was in the course of construction, it occurred to those charged with the responsibility of building her that improvements could be made in her. But delay, under those circumstances, had its advantages, for what was the result? Why, that the *Dreadnought* was a faster, more powerful, and altogether a much more valuable addition to Her Majesty's Navy than she would have been if she had been completed on the original design, instead of waiting, as the Admiralty of the day did, for the results of investigation. It was, he might add, hardly necessary for him to tell the House that the constitution of the Constructor's Department made it in reality a *bonâ fide* council. There were five constructors, who themselves had a personal knowledge of the art of construction, and they were assisted by two engineers, all of whom concurred in the design which was ultimately submitted to the Lords of the Admiralty; who must not be supposed to be incapable of exercising some discretion and judgment when the design was laid before them. He, for example, was assisted at the Board, not only by his able Colleagues in that House, but by three naval officers selected because of their skill and knowledge of naval affairs, naval construction and artillery, and their general capacity for the discharge of their duties. One of those gallant gentlemen had been referred to to-night as an officer well known as an artillerist and a man of great scientific knowledge, whose judgment was probably equal at least to that of any officer of the present day. He would not pursue the subject any longer, and thought that he had said enough to justify himself in asking the House to believe that there was a real and sufficient judgment exercised upon the designs entertained from time to time. Next, with the permission of the House, he would refer to that which everyone felt to be the most important question, and which had given force and strength to the debate—he meant the anxiety of the country with regard to the *Inflexible*. He had no complaint whatever to make of criticisms which had been passed on that ship, or of any independent opinions which had been formed concerning her. It was only right and proper that Departments and Ministers should be the subjects of such vigilance; but when, as in the present case, the inquiry made in answer to the appeal of the public had been close and searching, when the Committee entrusted with that inquiry had been almost unanimously accepted as a Committee chosen from the most competent men, and when its verdict had been given in terms of which there could be no doubt as favourable to the construction adopted, then he thought the public might be allowed to rest in the assurance that the Admiralty, the naval profession, artillerists, and all acquainted with such matters were satisfied with the ship that was about to be added to the Navy. He was afraid that he could not avoid passing over ground that had been already well trodden; but his responsible position entitled him to the indulgence of the House. Hon. Members well acquainted with the subject had remarked that there could not possibly be a ship which should be absolutely invulnerable, and it was necessary to accept the proposition that a ship, if she was to fight, must also be prepared to endure the consequences of fighting. He wished to lay it down as an axiom that a really effective ship should, in the words of a very high authority, possess

> "the greatest possible offensive power; and the defensive power should be such as to ensure her, as far as possible, and in equal degrees, against all the various modes in which she may be disabled or destroyed. From this it will follow that it should not be in the power of the enemy to disable the ship by one single blow delivered by any means at his command, if this could have been prevented by causing other defences; where he has not this power, to surrender a portion of their strength to succour the weak part."

That was the case with the *Inflexible*, and it had been thought right not to place armour on her ends; because it had been conclusively shown by every professional authority that they were not likely to be perforated in such a degree as to impede her usefulness in action, due regard being had to the power of her guns. The Admiralty contended for the *Inflexible*, and accepted responsibility on her behalf, that she was the most perfectly designed vessel afloat for the purpose of resisting heavy guns and heavy blows, and that she was likely to remain seaworthy for the longest space of time. The right hon. Member for the City of London (Mr. Goschen) had referred to the fact that at least 300 heavy shots would have to strike her unarmoured ends before she would be reduced to a riddled and gutted condition; but the hon. and gallant Member for Devonport (Captain Price) had remarked that those shots must strike her, not all in one place, but must be equally distributed over her like the squares of a chessboard before the ship could be thoroughly riddled. He need not refer to the evidence of experts to point out the improbability of such a thing, for, indeed, he might call it impossible as well as improbable. He would only remark that the 24-inch armour of the *Inflexible* could not be penetrated by any gun now in any ship—that was, the belt of the *Inflexible.* The 81-ton gun could not pierce 24 inches of armour; but the *Inflexible* gun, which was the 81-ton gun, could pierce the armour of any other ship now afloat; so that one discharge from the guns of the *Inflexible,* if it took effect in a vital part, would expose any other existing iron-clad to the greatest possible danger, while a similar gun discharged at the ends of the *Inflexible* would neither pierce her citadel nor inflict any very serious damage; because her ends were not her vital parts. The discharge from the gun of the *Inflexible,* if it struck the boilers of the *Devastation,* or at her vital parts, would probably send her to the bottom; but if a shot from the *Devastation* were to hit either the bows or the stern of the *Inflexible,* it would do comparatively little injury. They had, therefore, in the system which had been adopted, security that, unless some more powerful gun was used against her, the *Inflexible* would be able to hold the sea against the most complete iron-clad afloat. That brought him to the question raised the other day by the hon. Member for the Tower Hamlets (Mr. Samuda), who had stated in most distinct terms that a 16-inch iron plate was equal in resisting power to the two 12-inch plates surrounding the battery of the *Inflexible.* He confessed his surprise at that statement, though he knew that the theories on which it was based were true up to a certain point; but they gave way under the force of actual experiment. He would state what those experiments were, and they would demonstrate the error of the hon. Gentleman, and show that the extra eight inches had not been thrown away on the *Inflexible.* The statement that the resistance of iron plates to projectiles increased as the square of the thickness was a very rough estimate, and only held good up to six or seven inches. With thicker plates we had direct proof it was not so. In 1871 two targets were fired at from the 18-ton and 25-ton guns with projectiles from 400 lb to 600 lb weight at 200 yards. The first target consisted of a 14-inch plate in one thickness; the second target of two plates of 8 and 6 inches, with 9 inches of oak between. The total thickness of each target was 14 inches iron, 15 inches oak backing, and one inch and a-quarter iron inner skin. The indentation, as measured from the face of the target, was necessarily less with the single plate; but the absolute amount of resistance to shot or shell—that was to say, the protection afforded to the inner skin, or the inside of the turret—was shown to be practically the same in both targets. The deduction from this was that the double-plate system was to be preferred for many reasons, because the plates could be more easily manufactured; they could be made larger, so that no horizontal joint would be required in a turret; through joints could be avoided; the number of fastenings could be diminished; better quality of material could be ensured; and, finally, the cost would be less. Again, at Spezzia, in 1876, a compound target of iron in two thicknesses of 12 inches and 10 inches, with 12 inches of wood between, also a single plate target with 22 inches of iron, were fired at with 2,000 lb shells from the 100-ton gun. In these trials, also, there was a larger amount of penetration in the double plate than in the single plate; but the more serious cracking in the thicker plates made the comparison between the depths of penetration in the two systems of little value. Upon this Report the question was referred to the War Office whether the recommendations of the Committee of 1871 should be re-considered. The reply, after reference to the Heavy Gun Committee, was in the negative. In this conclusion the Director of Naval Ordnance and the Director of Naval Construction concurred. In 1877, at Shoeburyness, two targets were fired at from the 38-ton gun. The first target was a solid 16½-inch plate, with the usual backing. The second target had three 6½-inch plates, with 5 inches of teak between. The result was that both targets were penetrated; but, in the second target, the base of the shot remained in the last plate, while the whole of the projectile went completely through the solid plate target. The deduction from that was that a solid rolled plate of 17 inches, or 17½ inches, was equal in resisting power to three 6½-inch plates, separated by 5 inches of backing—that was to say, that 17½ inches of iron in one solid plate equalled 19½ inches in three separate plates. It might, therefore, be safely deduced that 24 inches of iron in two separate plates would, at least, equal 22 inches of iron in one solid plate, and that the structural advantages of two separate plates would more than compensate for the two inches of iron of one solid plate. That would show that the proportions which the hon. Member had stated to the House were not sustained by the actual proof they had had of the resisting power of iron. The hon. Gentleman the Member for the Tower Hamlets had also spoken of a comparatively thin plate keeping out shell. Now, it so happened that the only projectile which penetrated the hull of the *Huascar* was a shell which passed through her armour, and burst inside the ship. There were other subjects to which he must refer. The noble Lord the Member for Chichester (Lord Henry Lennox) had complained that the reference to the Committee was cramped. That point had been already referred to by his hon. Friend the Member for South Devon (Sir Massey Lopes). For himself, he could not conceive how it was possible to charge the Admiralty or his lamented Friend Mr. Hunt with cramping the Reference to the Committee. What did his right hon. Friend (Mr. Hunt) do? He first of all summarized the charges made against the ship by the hon. Member for Pembroke (Mr. E. J. Reed), and then he asked this last question, which was intended to cover everything—

> "Whether, all points considered, the ship is, so far as can be ascertained from the design and calculations, a safe sea-going vessel; and whether, when the amount of damage to which her unprotected ends would be exposed in action is borne in mind, sufficient provision has been made to ensure, in all human probability, her safety under such conditions?"

An hon. Gentleman who did not see in those questions the fullest possible direction to the Committee to give the most complete answer as to whether the ship was a safe and a good ship must be in some degree prejudiced as to the condition of the ship, and also as to those who were to put those questions respecting her. He was sure that his right hon. Friend had desired in every way to afford the fullest possible information to the House and the country. Everyone who had known his right hon. Friend must feel that he was far too honourable and straightforward a man and far too zealous in the discharge of his duty—and, unfortunately, he fell in the discharge of his duty—to omit anything which words could do to obtain from the Committee, in whom he had the most complete and perfect confidence, a true statement of the facts of the case. For himself, he believed that that statement had been made. The hon. Member for Pembroke, who he was sorry was not in his place, had asked—

> "Would the House believe that up to this moment they had never had a description of the state of the *Inflexible's* stability as it was on the date when *The Times'* article first appeared last year and when the debate arose in that House upon it?"

And the hon. Gentleman then went on to say—

> "He would now ask the First Lord of the Admiralty whether he would tell them what the stability of the *Inflexible* was when the debate arose in that House?"

Now, the facts of the case were these—Parliament had been informed of the stability of the *Inflexible* as it existed when the letter appeared in *The Times*, and the debate arose on the 18th of July last year. The Paper, No. 285, which was laid on the Table on June 28, 1877, contained a diagram of the curves of stability ascertained in 1876, as they existed in July, 1877, with lower masts in and chains and cables stowed on the main deck. And it was upon that diagram, with masts in and chains and cables on the main deck, that the Committee had framed their verdict as to the stability of the ship. If, however, the masts were removed and the cables stowed below, the ship would have increased buoyancy and stability, and that was shown in a foot note of the same Paper, page 11. He therefore believed the most complete information was given at the time in the most straightforward and honourable manner by those whose duty it was to furnish it; and there had been no withholding in any shape of the facts necessary to enable the country and the Committee to form their judgment upon the value and stability of this ship. He now came to another question. He had been asked why no reference was made in the Report to the *Ajax* and the *Agamemnon*. Now, reference was made in the Report, or rather in the Papers sent to the Committee, to the *Ajax* and the *Agamemnon*. If they looked to paragraph 4 in the letter of Mr. Lushington, addressed to the Committee on the 30th of August, they would see it stated that those ships were designed on the same principle as the *Inflexible*, and that the opinion of the Committee in regard to that vessel, whether it was favourable or adverse, would cover them also. What would have been the use of extending the Reference of the Committee, so that they should consider whether the *Ajax* and the *Agamemnon* were safe vessels, when they were constructed on precisely the same principle as the *Inflexible?* They might as well say that if the die of half-a-crown was enlarged from a florin it was not satisfactory, and that it would be necessary to see whether the die of the florin was satisfactory. The case of the *Inflexible* covered the case of the *Ajax* and the *Agamemnon*. If the *Inflexible* was unsafe, so were the *Ajax* and the *Agamemnon;* but if she was safe, then it might be fairly inferred that they were safe also. A great deal was said by the hon. and learned Member for Chatham about our bringing the designs of future ships of war to be discussed on the floor of this House. [Mr. GORST: Not the designs, but the principles of the designs.] They had had a very long debate upon the design of the *Inflexible*, and it certainly did not show much uniformity of opinion, or anything to induce the Admiralty to come down and ask for a full and free discussion in that House on the designs of their ships. Complaint had been made that there had not been uniformity of design. That, he thought, was one point on which the Admiralty might claim some credit. Taking advantage of invention and of experience, they had moved on from time to time building better and more powerful ships, as they believed, than they had before. But if new principles were to be discussed in that House without any hope of arriving at unanimity on any principle, the Admiralty would then probably go on building on an old type rather than on a new one. With regard to the stability of the *Inflexible*, in the letter addressed by the Secretary of the Admiralty to the hon. Member for Pembroke, and which was included among the Papers on the Table, it was not stated that there would be a large amount of stability in the circumstances supposed by the hon. Member—namely, in the event of riddling and gutting; but it was stated that even in that case there would be stability. He was prepared to tell his hon. Friend what that stability would have been in the event of the masts remaining in the ship—that was to say, in the event of the condition of the ship being that which was submitted to the Committee. There would have been a curve of stability of 14½ degrees, if she were in a riddled and gutted state. In the event of the masts being removed and the chains and cables stowed below, there would have been a stability of 17 degrees. And that agreed with the Minute of the Admiralty laid before the House, which stated that an ample reserve of stability was left; and that in the case contemplated by the hon. Member for Pembroke, the model remained upright and did not capsize, although the amount of stability was small. He could not refrain, in connection with this subject, from making some reference to other countries, although he concurred with the hon. Member for West Norfolk (Mr. Bentinck) in thinking that comparisons, with regard to foreign countries, were not at all desirable from the mouth of the First Lord of the Admiralty; therefore, it was not his intention to make those comparisons. But we might derive advantage from the practical experience of our allies and friends. He held in his hand a communication from the Minister of Marine in Italy, which conveyed to him the information that the Italian Admiralty were building ships which were not intended to have any armoured stability at all. They were larger ships than existed in the English Navy; their displacement would be 2,000 tons greater than that of the *Inflexible*. They would be protected by armour only so far as the batteries were concerned. Without any regard to armoured stability, the weight of armour from which they were relieved, as compared with the *Inflexible*, would enable them to carry engines of more than twice the power and coal for many weeks' consumption. The Italian Admiralty had no doubt whatever as to the wisdom of the course they were pursuing. They had gone a great deal further than we had. They had altogether dispensed with armoured stability, and did not believe in its necessity. But he had also a letter from one of the most experienced naval constructors in France, who, speaking of the *Inflexible*, said—

> "I received with a great deal of pleasure the Report of the *Inflexible* Committee, which you had the kindness to send me some weeks ago. I took a good deal of interest in perusing this valuable Report, and was sincerely happy to find the conclusions arrived at by the very competent persons who were members of the Committee were quite in accordance with your views of the question. I am truly glad to see the final award decided in favour of the ship."

He thought he could say little more as to the wisdom of the course which had been taken. He trusted the House would now permit the Speaker to leave the Chair, and that they would be permitted to see this ship proceeded with, confident as he was that she would be a valuable contribution to the offensive and defensive force of this country. He believed no better ship existed in Europe—if, indeed, in the world—and none that would give greater confidence to the officers and men who might have the good fortune to be placed in her for the defence of the honour and interests of this country.

NAVY—THE CASE OF MR. JOHN CLARE.

OBSERVATIONS.

Mr. BIGGAR called attention to the case of Mr. John Clare, the inventor, patentee, designer, promoter, and upholder of Metal Shipbuilding on life-preserving principles, and to his claims upon the Admiralty adopting his inventions, plans, models, and designs as furnished by him to that Department of the State upon its Order, dated the 22nd day of June, 1855. The hon. Member admitted that the case had already been decided by a Court of Law; but thought that if it was competent for the Home Secretary to re-hear criminal cases, it was not too much to ask Parliament to re-hear a case in which the only question involved was the propriety of awarding compensation to a man whose brains, inventions, and studies had been utilized by the Board of Admiralty without acknowledgment.

Mr. A. F. EGERTON said, he was aware that he could only reply to the hon. Member by the indulgence of the House; but he did not think it would be respectful to the hon. Member if some Member of the Admiralty did not reply to him. The grounds upon which the Admiralty were forced to refuse the Committee asked for by the hon. Member were that Mr. John Clare, having already taken every step open to him to enforce his claims, the Admiralty, after giving them the fullest investigation, had felt themselves compelled to reject them, and their decision had been supported by the Courts of law.

Colonel BERESFORD said, it would be great relief to get quit of these constant references to the case of Mr. Clare, and suggested that if there were supposed to be a real grievance, it should be referred to one of the Lords of the Admiralty to report.

THE EASTERN QUESTION—THE CONGRESS.—OBSERVATIONS.

Sir ROBERT PEEL, in rising to call attention to the representation of this country at the proposed Congress at Berlin, and to ask a question on the subject, said: The Notice I have placed upon the Paper divides itself into two heads of inquiry, which I venture respectfully to submit to the consideration of Her Majesty's Government. The first has reference to the representation of this country at the proposed Congress, and the second has reference to the Congress itself. At this late hour I am particularly loth to occupy the time of the House; but the opportunities private Members have of gaining its ear are so rare, and the position of affairs is so critical, that I am anxious, if the House will permit me, to state what are not only my own opinions, but what I believe to be the opinions of a great many in this House and out-of-doors as regards the critical state of affairs at the present moment. When we look at the present position, what do we find? No doubt peace has been concluded; but no sooner is peace concluded than armaments have commenced—in fact, we may say that the conclusion of peace is likely to be the commencement of war. Nothing could be more appropriate in connection with the Navy Estimates than the observations I am going to make. I heard with great satisfaction the remarks this evening made by the Chancellor of the Exchequer when he said that England would require each Article of the Treaty to be separately examined. But what is the state of affairs at the present moment? Why, the Channel Fleet has actually joined the Mediterranean Fleet, although peace has been proclaimed. The hon. Member for West Norfolk (Mr. Bentinck) said just now that we have no Naval Reserve whatever. I do not know what Reserve there may be on the coasts of this country; but it is a remarkable fact that no sooner is peace concluded than the Channel Fleet proceeds to the waters of the Mediterranean and joins itself with the Mediterranean Squadron. And not only so, but the Commander-in-Chief and the Chief of the Staff of a so-called Expeditionary Force have been appointed. Heaven knows where that Expeditionary Force is to go to; but we see in the newspapers that 50,000 men are ready to go somewhere when called for. The hon. Member for West Norfolk in his remarks just now expressed an opinion respecting the Army in which I cannot concur. He said that it was in an emaciated condition. But we have the authority of the Commander-in-Chief upon this point. Last week he said that the Army had undergone great changes, but he hoped it would not be put to the test just now; and therefore I say, when people put forward the idea that, peace having been concluded, we are going to send 50,000 men somewhere, I hope they will dismiss the idea from their minds. There is no doubt, however, that great armaments are being made throughout Europe. Look at the position of Austria at this moment! Austria is arming to the teeth —peace having just been concluded; and a Supplementary Vote has been passed by her for the mobilization of her Army. Roumania is dissatisfied, and Greece at this moment is fighting. Above all, Her Majesty's Government have repeatedly told us—and I say this in no carping spirit, nor as finding fault with them—that for the last month the Foreign Office knows nothing of what is going on. We do know nothing. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) the other night asked a Question of the Government, and the Chancellor of the Exchequer, in reply to him, said—"We know nothing more than you do of what is going on." Well, I say—however opportune or inopportune may be the remarks I am submitting to the House—the country is, and must be, uneasy in regard to this state of things. The country wants to know something of what is going on, and I think that it is entitled to know more than has been vouchsafed to Parliament during the last few weeks. Let the House look at the state of Eastern Europe at this moment. Peace has been concluded. The terms of peace, no doubt, will be considered in this proposed Congress; and I am happy to have heard from the Chancellor of the Exchequer to-night that England goes to this Congress unpledged and unbiassed, and determined to consider every Article of these terms of peace one by one. True, certain terms which were in the first instance monstrous, and which, I believe, were never earnestly put forward, have been withdrawn—such as the acquisition of the Turkish Fleet and the hypothecation of the Egyptian Tribute. These claims, I say, I do not believe were ever earnestly put forward. But, look; what is the actual and present position staring us in the face as regards Russia? It is enough to make us pause. It is serious enough to make us reflect upon what must be the future in store for Europe. There is Russia standing at this moment with one foot on the Sea of Marmora and the other on the Black Sea, in immediate propinquity to the Bosphorus —insulating, as it were, the Peninsula upon which stands Constantinople. European Turkey has ceased to exist. That may be good or bad; but Russia stands in its place. Russia is an autocratic despotism. Now, of all forms of Government, an autocratic despotism is that which does most to suppress the hopes, the aspirations, and the energies of mankind; and it is an autocratic despotism which at the present time threatens, overshadows, and dominates the peace and liberties of Europe. I wish now to say a few words respecting what this country is going to do in the Conference or Congress. Before peace was made—even as far back as the 12th of February —the Foreign Secretary announced to this country that a Conference was to be held. "All the Powers," said Lord Derby, "had agreed to everything except the point as to where that Conference was to be held." Well, that was a matter of very small importance. But Lord Derby afterwards informed Parliament, in "another place," that ultimately Baden-Baden had been selected. Subsequently Lord Derby informed Parliament that the Conference was to be held in the first week of March. In the first week of March peace was concluded between Russia and Turkey at San Stefano—on the 3rd of March, I think it was. And there was one Member of this House who certainly took the earliest opportunity of expressing his opinion—and I think he almost stood alone in that opinion—with regard to the terms of peace. My hon. Friend the Member for Hackney (Mr. Fawcett) rushed—anybody who has read that Treaty knows what to think about it;—but my hon. Friend the Member for Hackney, on the 4th—the day following—rushed to the Town Hall of Shoreditch, and at the top of his voice, and from the bottom of his heart, said—"This is, indeed, great and glorious news." ["Hear, hear!"] I do not know whether the hon. Members who cheer me have read certain particulars of that Treaty; but I consider there is one clause in it which is more painful than anything that ever appeared in the diplomatic history of the world—namely, that within two years every Mussulman who lives within the region to be comprised in the new Bulgaria shall be forced to leave it. Well, the hon. Member for Hackney rushed, as I said, down to the Town Hall of Shoreditch, and in a loud voice, and from the bottom of his heart, said—"This is, indeed, great and glorious news;" and he added—"The most perverse ingenuity cannot discover in what way the interests of England are menaced by these moderate terms." I leave my hon. Friend the Member for Hackney to his moderation; but I think that nothing can be more serious, not only for Europe, not only for the peace and interests of Europe, but of this great country, than the terms of peace agreed to between Russia and Turkey. After that it was proposed, not that a Conference should be held at Baden-Baden, but that a Congress should be held at Berlin. No doubt, the amenities between Germany and Russia might convince this country that, of course, this must have been really a plan between those two Powers. But, whether that was so or not, the fact remains that Berlin was selected, and that Prince Bismarck, after a good deal of frank hesitation, consented to be President of the Congress. I think the Presidency of the chief promoter of the Triple Alliance between the three Emperors, which is a standing menace to Europe, is not a good omen to start with. But I venture to say that nobody in this country will find fault with the policy of the Government in having agreed to go into the Conference, as the Chancellor of the Exchequer told us to-night in terms which will rejoice the country, that we shall go into the Congress as free agents, unfettered and unpledged. I have heard some in this country who say that, with a feeling of offended dignity, we ought to stand aloof from the Congress; but I am sure the good sense of the House of Commons and the good sense of the country will not be prepared to endorse that opinion. What I say—and what I believe a majority in this House and in the country would say—is—"Let this country go into the Congress with a manly consciousness of its own dignity and of its own power. Let it go in imbued with a desire to promote the welfare of Europe. Let it go in willing to accept, as a *fait accompli*, that which is now irrevocable," and I am satisfied that this country will be able to do some good in Europe. But who is to represent this country in the Congress? And what is to be the subject of the Congress? I know that the British Ambassador at Paris was appointed to represent this country at the Conference at Baden-Baden, and I understand that he has now been named to the Congress at Berlin. I am not going to say a word of attack on Lord Lyons. I did not join in the attacks which were made the other night on the British Ambassador at Constantinople; and I am not going to say anything as regards Lord Lyons that cannot be attributed to a sentiment of honour. I meant to have taken part in the discussion the other night as regards the conduct of Mr. Layard; but, like many others, no doubt, I was debarred doing so by the press of others who were more anxious, perhaps, or who had a better right to address the House. If I am now going to refer to Lord Lyons, I will not call him a conspirator; I will not, in delicate language, call him an untruthful man; I will not call him "no gentleman;" I will not stab him in the back when his hands are tied. I consider Lord Lyons to be a most respectable gentleman; but what can he be expected to know of the feelings of this country on the Eastern Question? What can he be expected to know of the policy of the Foreign Office on the Eastern Question—what it is, what it has been, what it may be? All that he can know is, must be, at second-hand, either from the Secretary of State, or from Lord Granville, or from the Russian Ambassador. I do not think the latter are persons who can rightly interpret the intense feeling of this country at the present moment upon the Eastern Question. I do not think myself—and I have followed his career for many years—that Lord Lyons is a man who is able to grapple with the frankness of Prince Bismarck, or the finesse of Prince Gortchakoff. I think Lord Lyons may be a man who knows, no doubt, a good deal about the diplomatic profession, living, and learning, under the ægis of a flourishing Republic. But I am sorry to believe—and I shall be glad to hear it contradicted by the Government—that the opinions of Lord Lyons differ essentially from those which are entertained, and which have been entertained, by the late Ambassador at Constantinople and by the present Ambassador, Mr. Layard. If that is not the case, I shall be glad to hear it contradicted by Her Majesty's Government; because I think this country does not want to see a recurrence of those disorders which marked the diplomatic negotiations of our Representatives at Constantinople last year, and which led to such unfortunate results. To my mind—and I believe in the opinion of the country—Lord Lyons is not the man to go to Berlin to advocate the interests of this country. There is only one man who ought to go there, and that is Lord Derby. The Foreign Minister is, in my opinion, the proper person to represent this country at the Congress. He would carry more weight as Foreign Secretary, and he would be only following precedents which I snall venture respectfully, with the permission of the House, to quote. I say that Lord Derby, as Foreign Minister, ought to go to the Congress. Lord Castlereagh was Foreign Minister in this country in 1814, and as First Plenipotentiary he signed the first Treaty of Paris in that year. Lord Clarendon—an honoured name in this country—was Secretary of State for Foreign Affairs, and he was First Plenipotentiary and signed the Treaty of Paris upon the Eastern Question in 1856. Lord Granville was Minister for Foreign Affairs, and as First Plenipotentiary he signed the Treaty of London in 1871 modifying the stipulations of the Treaty of Paris of 1856. And I may add that Lord Granville, when Foreign Secretary, signed, as First Plenipotentiary, that most important Declaration between Great Britain, Austria, France, Italy, Russia, and Turkey respecting the inviolability of Treaties. I say, with the precedents I have quoted, the Foreign Minister is the proper person to represent this country at the Congress. A Congress is a different thing from a Conference. A Congress is composed of the chief persons of the countries which they represent. As Lord Castlereagh, Lord Clarendon, and Lord Granville represented it, so, I am bound to say, Lord Derby is, in the opinion of this country, far better qualified to represent England than the British Ambassador at Paris. Lord Derby knows better than any man in this country the policy of Her Majesty's Government. I will point out one other objection to the appointment of Lord Lyons as the Representative of England. Lord Lyons, the British Ambassador at Paris, will go to Berlin. He knows nothing, he can know nothing —it is not his fault—of the intense feeling of this country upon this question. He will have to receive his instructions from Lord Derby; Lord Derby will have to submit those instructions to the Cabinet; whereas if, as in the case of Lord Castlereagh, Lord Clarendon, and Lord Granville, the Foreign Secretary were to go, he would only receive his instructions, if there were any to give, from the Prime Minister; and, in my humble judgment, the Prime Minister of the present day would be very likely to interpret aright the feelings and opinions of this country. On the whole, therefore, I think Lord Derby would be the best to represent the country at the Congress; and I hope to hear an assurance from the Leader of this House to-night that Her Majesty's Government will be prepared, if a Congress should be held—

which I very much doubt—to send, not the Ambassador at Paris, but the Foreign Secretary, to represent—as he is bound to do—the interests of this country. He should not shrink from the responsibility of his position. He is responsible for what has been taking place during the last 10 months. I have never lent myself to say anything against the character of Lord Derby. I have always declined, though urged on more than one occasion, to find fault with his policy in this House. I have always shrunk from attacking a man who is not in this House to defend himself, and who can be attacked for his policy in "another place." But I do say that Lord Derby ought to go; but whether he or Lord Lyons goes, what are they to go for? What are the objects of this country in going to the Congress? I hope I am not wearying the House. [*Cheers.*] I will now state in a very few words what I believe those objects are. I can only repeat that I, in common with others in this House, was delighted to hear the statement of the Chancellor of the Exchequer to-night, that this country can still take an interest in Turkish affairs without its being supposed, as has often been thrown in our teeth, that British interests are bound up in maintaining misrule in Turkey, or in the perpetuation of misgovernment. That is a position which I decline to accept. If England goes into this Congress she goes, as the Leader of this House told the country to-night, not to register the deeds—be they good or be they evil—of Russia. She goes in only to consider which of the provisions of the Treaty of Peace are just and fair to Europe, and to say that they shall separately, one and all, be considered. I have no longer, personally, any faith in Treaties with Russia. Lord Granville, as Foreign Minister, signed that Protocol declaration between the Great Powers which they bound themselves solemnly to adhere to as regards the inviolability of Treaties. The first to break that has been Russia; but Russia has, perhaps, better things to offer to Europe than the inviolability of Treaties. We have been told, over and over again, that we can accept, with confidence, the sacred word of honour of the Sovereign of Russia, which certainly, if not more binding, is a more facile arrangement for those Powers who adopt that plan. I must say that any Treaty with Russia will fail to give that confidence to Europe which I should like to see; but, although the Chancellor of the Exchequer said to-night—and I think very rightly—that he must decline to enter into the basis of the arrangements upon which this country would go into the Congress, I will put it to the House—I will put it to the country—whether there are not four principal matters which will have to be discussed at length in the Congress. The first is Greece; the second is Bulgaria; the third, the free navigation of the Danube; and the fourth the free navigation of the Straits. These are the four points which pre-eminently interest this country, and which can be treated by the Foreign Minister, if he goes to the Congress, with a greater knowledge than can be possessed by Lord Lyons. But, as regards the Congress, I am bound to say that I was very sorry to hear the announcement of the Foreign Secretary the other night in the House of Lords. He stated that the British Government had recommended that Greece should form part of the Congress. Well, we may all respect the aspirations of Greece; but that action on the part of the Government is an announcement to Russia that they abandon altogether the Treaty of Paris. The Treaty of Paris was between the Great Powers of Europe, and as soon as you admit—as I see by this night's papers—that Greece can enter the Congress, Russia asks that Servia and Montenegro may enter. Now, I hold that the Congress ought to be confined strictly to the Great Powers who signed the Treaties of 1856 and 1871. Next, as regards Bulgaria, it is proposed to erect Bulgaria into a separate Kingdom. I suppose—and I am sure I am not singular in my opinion—that there is no race of men in Europe so destitute of all the qualities that would constitute a vigorous national people as the Bulgarians. I see by to-night's papers that Russia recognizes—but I do not know what truth there may be in the statement—the name of Prince Battenberg for the Kingdom of Bulgaria. There is to be placed at the head of a newly-elected Kingdom a man utterly unknown, and, I should say, utterly unworthy of such a position. As to the free navigation of the Danube, that is a matter of vital importance to Europe; and Russia, contrary to the

Treaties, did interfere with the free navigation of the Danube during the progress of the war. Let me, in a few words, point out the importance of the free navigation of the Danube. That River flows for 2,000 miles through Europe, and eight different States are watered by the stream. The Danube is joined to the Rhine and the Maine, and is the highway of commerce for the whole centre of Europe. Will the House believe that, as regards Austria alone and its commerce, the Danube carries 30,000,000 cwt of merchandize annually and 1,000,000 passengers? That is alone sufficient to show the House the importance of the free navigation of the Danube. It should be one of the most important questions to be treated at the Congress, and no one ought to be better able to treat the subject than the Foreign Secretary. I come to the last point of all, and I will not detain the House beyond two or three minutes. That is the free navigation of the Straits. This is a matter of vital importance to this country. The commerce of this country through the Straits exceeds three times that of every and of all other countries in the world put together. Surely, then, these are subjects which ought to be treated not by the Ambassador at Paris, but by the Secretary of State for Foreign Affairs of this country. He ought to have—he must have all these questions at his fingers' ends; and instead of calling to represent this country at the Congress the British Ambassador from Paris, he is bound, I say, not to shirk from the responsibility of the position he holds; and every man, in my opinion, and in the opinion of this House, believes that no one ought to be more capable than the Foreign Minister to consider these questions, which are of such vital importance to the diplomatic and commercial interests of England. I must apologize to the House for having detained it so long. The opportunities are so rare for an independent Member bringing a matter of this importance before the House that I was anxious not to lose this opportunity of expressing what I feel. The moment, I admit, is difficult. There were, no doubt, as I have said, armaments taking place at the moment of peace being signed; and, as I have said, it looks very much as if the conclusion of peace threatened the commencement of war. I hope this is not so; but what I do not like—and what many in this House do not like, and what a great many in this country do not approve of—has been that "know-nothing" policy of the Foreign Office, which has caused so much distrust throughout the country. I should suppose that there is no one who must be more sick of this "know-nothing" policy than Admiral Hornby, if Admirals are ever sick. What has been his position? Admiral Hornby has been sent—I was going to say tossed—backward and forward, not on the stormy billows of a troublesome sea, but on the troublesome issues of orders and counter-orders. Poor Admiral Hornby! To my mind, his peregrinations resemble those of that moon-struck silly fellow Telemachus, without even the excitement of his amorous adventures. I am sure that Admiral Hornby must earnestly hope that this "know-nothing" policy of the Government will soon end. In putting these two questions to the Leader of this House as regards the representation of this country at the Congress and the subjects of the Congress—while thanking the House for the generous and kind attention with which they have listened to the observations I have ventured to make—I do want to see the policy of the Foreign Office have more of British freedom about it—I want to see the Foreign Office getting into the old British groove of Lord Palmerston—I desire that the voice of this country shall still be raised as of old with national power, and to see the Government of this country standing with firmness and decision, in that front rank of the councils of the nations of Europe which she is indubitably entitled to hold.

LORD ROBERT MONTAGU said, he would not pretend to set his opinion against that of the right hon. Baronet; but he did not think that the right hon. Baronet's proposal to send Lord Derby to the Congress would be of much advantage to the interests the Government were pledged to defend. Had the policy Lord Derby had hitherto pursued anything of the true British ring about it? When it was first proposed to send the Fleet to the Dardanelles Lord Derby objected to that course; when it was again proposed, and while there was still time to stop the Russians from reaching Constantinople—which was one of those British interests that the Government had pledged its honour to defend—Lord Derby resigned. To bring back Lord Derby the Fleet was recalled. His Lordship remained in office, and the Fleet was sent out again. These were some of "the weaknesses and the vacillations" which had occurred in connection with the policy which, he supposed, Lord Derby himself, to a great extent, had dictated. Had that policy anything of the true British ring about it? It was certainly not what would have been expected from Palmerston, Pitt, and Chatham; and yet the right hon. Baronet wanted to send Lord Derby to Berlin. He thought the weakness and vacillation of his past policy was quite a sufficient bar to his being sent to Berlin to represent the interests of England. The only difference would be that Lord Derby, instead of sending the Instructions of the Cabinet to our Representative at the Congress, would himself receive them from Lord Beaconsfield; and the state of things would be brought back to that which existed when Sir Henry Elliot was our Ambassador at Constantinople. If Lord Beaconsfield could go, there might be some confidence in the result, for the Prime Minister was the one man in the Cabinet who had the pluck to carry out the views of the country. But at present he had no great confidence in the Congress or Conference at all. He did not know that it would ever meet; but if it did, he did not believe it would last many days. It would be the occasion of a little holiday excursion for the Representatives who might attend; but, in his opinion, it would not result in any good whatever to this country, even if it did not result in very considerable damage. Why? Because, as the right hon. Baronet had said, Turkey was "gone," and we had Russia in her place. It was true—Turkey was "gone"—although a Member of the Cabinet, the present Postmaster General, had said that Turkey was not gone yet, but was still a match for Russia. The noble Lord (Lord John Manners) based his assertion on the opinion of Lord Ponsonby, who was right at the time, because then there were those in Turkey, directing its Councils, who had some interest in its well-doing; whereas now it was at present in the hands of persons who cared nothing for the well-being of the country, but only for the gold they could put in their pockets. It was not that Turkey had been abolished and swept away from the map of Europe, or that her power was gone; but that that power was now transferred to the hand of Russia. Turkey was the puppet and Russia made Turkey dance. Turkey had still power, but Russia used that power and would use it against Europe. He had asked the Government over and over again whether there was not an alliance, offensive and defensive, between Russia and Turkey, to be used against England?—and, though he was always met with a know-nothing reply, he believed such an alliance existed. He did not care whether it did or not, for Turkey was in the hands of Russia, which had command of Constantinople and of all the strong places, and, as we had learnt to-day, was advancing on the suburbs of Constantinople and planting foot on the Bosphorus. That and the Black Sea were closed against the English Fleet, and the Black Sea, which was Russia's future base of operations, was beyond the reach of Austria and England. Through the mistaken and ignorant indolence—he was going to say the criminal culpability—of the Government, Turkey had gone, and Russia was in her place, and the power of Turkey was wielded by Russia, and would be wielded against us. And then we were asked to go into a Conference—Good Heaven!—where we could deliberate while Russia held Constantinople and the Bosphorus, and her Navy roamed over the Black Sea and brought supplies to her Armies at will. How could there be free deliberation? If we objected to a clause we should be laughed to scorn, as we had already been told that something was not our business but the business of the belligerents alone. Such an answer had been made to us—a people who once stood against Europe in arms. We were expected to deliberate hampered by the fear of Russia and Turkey united, when in the Sea of Marmora there were six of our ships which might be gone within 12 hours. ["No, no!"] What if Russia, which was within half-an-hour of the lines of Boulair, seized Sestos and Abydos and abvanced on Gallipoli? Did we expect to pass the Dardanelles, then? It was a great feat of heroism when Sir Thomas Duckworth did it, though the guns could not be depressed and the shots went over the ships; but now the danger would be so great and terrible, that deliberation in a Conference was impossible. If we did enter the Conference, what should we say when we got there? It was said we should require that all the clauses of the Treaty of Peace should be laid before the Conference. But Prince Gortchakoff said—"I do not understand that word 'require,' because, when you were informed of the desires of Russia last June, you did not dare to object. You told us not to advance on Constantinople; you dared us to do so, and you sent your Fleet. We replied by saying we would send our troops to the Bosphorus, and you brought back your Fleet." Then we should say—"We take our stand upon the sanctity of International Law and of Treaties;" but Prince Gortchakoff would reply—"Did you not cast your Treaties to the winds on the 6th of May, when you said that British interests were all you should consider; when you said that one of the British interests—the dearest of all—is that we should not approach Constantinople? We have approached—your British interests are worth no more than your Treaties." That was the way Prince Gortchakoff would treat us. On what principle were we to proceed? The right hon. Baronet had given us one—we were to go into the Conference acknowledging *un fait accompli* in regard to what had happened. That was a principle to which he would never give his assent. If they adopted that principle, Prince Gortchakoff would say—"Then I am satisfied. We have the whole of Bulgaria, we have our heel planted on Constantinople, we have possession of the road to India, we have ports on the Ægean and perhaps on the Mediterranean, we have the Black Sea locked up, Persia at our mercy, the Khedive of Egypt the Vassal of a Vassal—for Turkey is the Vassal of Russia—what more can you prevent?" Another principle was that preached the other night by the hon. and learned Member for Oxford (Sir William Harcourt)—the principle of nationalities—the nationalities of the Greek and the Slav. That was no new doctrine—it had been urged before now by the right hon. Member for Greenwich, who proposed to run the Greek against the Slav. When did the Greeks ever rule a great Empire? When were they ever thought fit for anything but to cheat and to slander throughout all the great towns of Europe? ["Oh, oh!"] Go into France, or into any other country in Europe, and ask what was the character of the Greeks? In France the word "Greek" was not supposed to mean a nationality, but it was a synonym for a pickpocket and a swindler. ["Oh, oh!"] They were now seeing the old blunder of 1829 repeated. He believed Her Majesty's Government made an enormous blunder in ever giving way to the iniquitous dream of adopting the Greeks and putting them against the Slavs. Another principle had been put forward—the right of interference for the sake of religion and of race. The object of the war was supposed to be the amelioration of Turkish populations who were called Christians. Were we to acknowledge that principle or not? If we did we could not stop at Bulgaria; for there were Christians throughout Armenia, in Palestine, and in Egypt, and if we would not act on their behalf we must abandon the principle. The right hon. Baronet (Sir Robert Peel) had said that he had no faith in Treaties by Russia. He thought no sensible man in this day had. But why, then, go into a Conference? A Conference must come to a decision, and that decision must be embodied in a Treaty. And yet they were told by the right hon. Baronet that he had no confidence in a Treaty. Neither had he (Lord Robert Montagu), and therefore he had no confidence in a Conference. Russia made a Treaty with Roumania on April 16, 1877, and within a year had broken it. The Treaty was not that the Roumanians were to help the Russians, but that they were merely to allow them to pass through their territory; and for this service the integrity of Roumania was guaranteed. The Russians having met with two disastrous defeats at Plevna, everyone thought Russia was ruined. What happened? The Russian diplomatist went to Roumania, and said—"For Heaven's sake, come and help us or we are done for, and if we are, you are done for too! If you will help us we will give you independence and an increase of your territory." The poor foolish Roumanians believed the Russians, they went to the aid of Russia, supplied the place of the thousands she had lost, and virtually won the campaign for her. Yet the moment the Russians were victorious the Treaty of the 16th April was forgotten, the services of the Roumanians were ignored, and instead of getting an increase of territory, the Russians proposed to take a slice off. The Treaties, threats, and prayers of the Roumanians were all unavailing. Prince Gortchakoff said—"We have Roumania between the hammer and the anvil; if she says a word we will crush her entirely." That was the way that Russia treated her friends. Within nine months the Treaty with Roumania was ignored. Then there was the Armistice of the 14th February—how long was it regarded? When it was agreed to, all Europe threw up their caps with delight. How long did it last? Within 10 days it was broken by the advance of the Russians to San Stefano. Plighted faith, honour, and the sanctity of Treaties, what were they to Russia? Were honour and honesty considerations which weighed with Russia? No; but power and might were considerations which weighed a great deal. Turkey was the tool and puppet of Russia. Russia had the Bosphorus, and Turkey must do as she was bidden. The Turks, they might be certain, were going to assist the Russians at the Congress. Perhaps Austria would be on the side of England. Let them suppose that France and Germany were prevented from flying at each other's throats—and that was the best that could happen—if Russia and Turkey together were equal to England and Austria in the Conference they would not mind; but if they were not equal, Russia would give way, and give way little by little, till she found a point at which England would join her; and then a Treaty would be concluded. But she would then turn to Austria and say—"Don't mind those foolish Islanders; you see how they treated Turkey, whose independence they were bound by Treaty to defend. They are selfish people; they care for their own interests, and nothing else. I can do more for you than they can do." In this way Austria would be detached from the alliance; Germany and France would be satisfied; England would stand alone—Russia, aided by Turkey, would be left master of the situation. Did they think that Russia would stand by the Treaty one moment longer than they thought proper, when they had broken a Treaty made with their own allies, the Roumanians, and another Treaty with their new friends and quondam enemies, the Turks? Did they think that a Treaty extorted by fear would stand for one single moment against the interest of Russia? He did not believe that there was one man in this House who was so foolish as in his heart of hearts to believe it. He wished that for one moment everyone who spoke on this subject would speak as he thought. They would have very few speaking against the views which he represented; but Party Government was the ruin of truth. If, instead of agitating, and talking, and petitioning to get the ballot established outside, they had got the ballot established in the House, they would have a very different vote on this question. When they examined the ballot box they would find all the balls on one side, and the only wonder would be "how the devil they all got there!" The right hon. Baronet opposite (Sir Robert Peel) had vented his spleen and spat his venom on Lord Lyons—[Sir ROBERT PEEL: No, no!]—but he (Lord Robert Montagu) had always heard that he was a most honourable and capable man.

SIR ROBERT PEEL: I beg the noble Lord's pardon. I never vented any spleen, or expressed any feelings of malignity, against Lord Lyons. I disclaimed saying one word against him. I believe him a most worthy man.

LORD ROBERT MONTAGU said, he was sorry for it, because he had hoped the right hon. Baronet had vented his spleen and got rid of it. If he had not done that he still had it in him. He (Lord Robert Montagu) had always regard Lord Lyons as an able diplomatist, and his appointment as Ambassador at Paris showed that he must be *au fait* of the diplomacy of Europe—he believed him superior to the humbug, the bamboozling, and cheating, which passed muster for diplomacy—he believed he was a match for all the other Plenipotentiaries. The right hon. Baronet said that they should send Lord Derby to the Conference. If that were so, the best thing for those who regarded the dignity and honour of England to do would be to denationalize themselves as rapidly as possible; let them sell their properties and escape to some distant land before the final catastrophe arrived. Whoever might be sent, he believed that the Conference would come to nothing. If this country could summon courage to look facts in the face and act with enlightenment, then he believed the result of the Conference would be war. But if the Conference ended in peace, it augured for this country something worse than war—slavery and impotence from which it would take a century to recover.

LORD EDMOND FITZMAURICE said, that in the speeches of the right hon. Baronet and the noble Lord they had heard the last dying cry and the political will and testament of the old Turkophil party. Whatever difference of opinion there might be between the two sides of the House, he believed that they would generally agree that the proceedings of the Turkophil party had been an unmixed misfortune to this country. That he said from no love of Russia; but he could not help thinking that the manner in which the Turkophil party had spoken of Lord Derby was most indecent and most extraordinary, and had weakened this country in the eyes of Europe and of the world. No one could conceal from themselves that the object of the speech of the right hon. Baronet was to sneer at Lord Lyons, and to diminish the prestige and influence of the Foreign Secretary, and that, too, at a time when it ought to be the object of every patriotic Englishman to uphold it to the utmost. The right hon. Baronet complained that the hon. Member for Hackney (Mr. Fawcett) had given, perhaps, a premature expression of approval to the terms of peace imposed by Russia upon Turkey. He (Lord Edmond Fitzmaurice) ventured to think that that was the severest criticism on the right hon. Baronet's own proceedings. If the hon. Member for Hackney spoke without knowledge of the terms of peace, had the right hon. Baronet that knowledge? Had the right hon. Baronet, who took for his text when speaking what purported to be the terms of peace, been taken into the confidence of the Emperor of Russia and supplied with a copy of the terms? Both the right hon. Baronet and the noble Lord who followed him went out of their way to make observations about the Bulgarians and the Greeks; but he ventured to think that the present moment was most inopportune for insulting either of those peoples. He believed that the proceedings of the Foreign Secretary in asking that the Greeks should be represented at the Conference had met the almost unanimous approval of Parliament and of the country; and if anything could increase that approval, it was that the only party to criticize the course taken was the small, disconnected, and broken-up Turkophil party, which still maintained a *quasi*-existence. That party was attempting to bolster up the unjust Government of Turkey, of which they were the only champions. The right hon. Baronet suggested that Lord Derby should be sent to the Conference instead of Lord Lyons; but the whole of his speech up to the moment at which he made the suggestion was an elaborate indictment of the policy of the Foreign Secretary. If the policy of the Foreign Office was so weak and miserable as to be justly described as a "do-nothing" policy, the Foreign Secretary was the last person who should be sent to the Congress. When Lord Salisbury was sent last year to the Conference at Constantinople, the right hon. Baronet and his Friends complained that the office of British Representative was not filled by a professional diplomatist. Her Majesty's Government were now going to send a professional diplomatist, and the right hon. Member for Tamworth thereupon made an attack on Her Majesty's Government. This country had never been bound in the matter of sending out Representatives by any hard-and-fast rule. In the various Treaties which had been negotiated during the last 100 years, this country had been sometimes represented by professional diplomatists and sometimes by Foreign Secretaries, and even by persons who were neither the one nor the other. It did not seem to him that this was a moment at which the right hon. Member for Tamworth ought to have raised a discussion of this kind. This country was at present in a most dangerous and delicate situation, and the Government ought not to be embarrassed by criticizing the conduct of any individual. If the House were called upon to vote by ballot, no doubt they would say that the right hon. Baronet was the fittest person. He would uphold the fame of England, and the country would be represented by a diplomatist of almost superhuman energy and exalted character. But as this was not to be, he (Lord Edmond Fitzmaurice) thought it would be much the wiser course for Parliament to place confidence in the selection made by Her Majesty's Government, and to reserve to itself the free right afterwards to criticize and to give or withhold its approval of the course taken and the results which flowed from it. The name of Lord Lyons was well known throughout Europe as that of a diplomatist of great ability, in whom everybody had the utmost confidence; and he, for one, felt convinced that in the coming Conference he would represent this country in such a way as to entitle his name to a place in the exalted roll of names mentioned in the speech of the right hon. Baronet.

SIR H. DRUMMOND WOLFF said, he did not propose to enter into the question between Lord Lyons and Lord Derby, because he believed that Her Majesty's Ministers were able to defend Lord Lyons, whilst Lord Derby was in no want of defenders on the other side of the House, as was shown by the somewhat lengthened letter of the hon. and learned Member for Oxford (Sir William Harcourt), which had done the Foreign Secretary the greatest injury it was possible to inflict on him, and also the speech of the noble Lord the Member for Calne (Lord Edmond Fitzmaurice), who had followed in the steps of his Leader. He wished to put to the Government one or two questions with regard to the forthcoming Congress. He should not insist on any answer that might be considered inconvenient, for he was perfectly satisfied with the answers which had been given to the Questions put by the hon. Member for the West Riding (Mr. C. Beckett-Denison) and the hon. Member for Guildford (Mr. Onslow). But there had been a certain divergence in the answers given in that House and in the other House, and between the words of the Government and their written despatches. The Secretary of State for the Home Department last year had told the House that England would object to Constantinople being approached or occupied by Russia; whilst Lord Derby, in writing to Lord Augustus Loftus, limited himself to an expression which seemed only to mean a permanent occupation, while in July last it was said that any movement by Russia would be met by the movement of the English Fleet. Now, the actual movement of the Fleet in February led to the resignation of Lord Derby and Lord Carnarvon. What he wanted to ask the Government was, what would be their position as regarded Russia in the forthcoming Congress? At the present moment, the Government knew nothing about the terms of peace, as on a former occasion they knew nothing about the terms of the Armistice. The words of the Chancellor of the Exchequer were much stronger than the words used by Lord Derby. But the words to which the Government were fixed was the declaration of Prince Gortchakoff, that the interests of Europe would be submitted to the Congress. In 1856 the bases of peace between England, France, Turkey, and Italy on the one hand, and Russia on the other, were submitted to the Congress at Paris, which signed the preliminaries of peace, and ultimately the Treaty. Now, he wished to know whether Her Majesty's Government were prepared to insist upon all the conditions of the Treaty of San Stefano being placed before the Congress at Berlin for alteration if necessary, or whether they would accept them as *faits accomplis* and acknowledge the doctrine of *Beati possidentes*—or whether they were to go into the Congress and agree to a large State in Bulgaria with a Prince nominated by Russia, and whether the new institutions in Bulgaria were to be directed by Russian Commissioners; was the education of that country, religious and secular, to be subjected to Russian authority; or whether this country was or was not to have a voice in the future of Bulgaria, or was it to be established by Russia, and to be tendered for our acceptance or refused blindly? He had the greatest reluctance to any interference by Russia in the education of the youth of Bulgaria; and he would show what was the real meaning of Russian education by reading an extract from the Catechism taught in the schools of Poland by order of the Russian Government. It was as follows:—

"Q. 1. How is the authority of the Emperor to be considered in reference to the spirit of Christianity?—Ans. As proceeding immediately from God. Q. 17. What are the supernaturally revealed motives for the worship (of the Emperor)? — Ans. The supernaturally revealed motives are that the Emperor is the Vicegerent and Minister of God to execute the Divine

> commands; and, consequently, disobedience to the Emperor is identified with disobedience to God himself; that God will reward us in the world to come for the worship and obedience we render the Emperor, and punish us severely to all eternity should we disobey or neglect to worship him. Moreover, God commands us to love and obey from the inmost recesses of the heart every authority, and particularly the Emperor, not from worldly considerations, but from apprehensions of the final judgment."

He wished to know whether Her Majesty's Government were prepared to allow the dissemination of such doctrines in Bulgaria? But this was not all. There was the Treaty of 1840, by which the Government of Egypt was maintained in the family of Mehemet Ali. Well, the Straits were menaced by the erection of the new Bulgarian State, because it would not be possible for Turkey to maintain the police of the Straits in the future as she had done in the past. The power of Russia was to be established on the Ægean, while by the extension of her territory into Armenia, she would be enabled to march down through Asia Minor to Egypt whenever she liked. He should like, therefore, to ask the Chancellor of the Exchequer whether it was the intention of the Government to strengthen our position in Egypt; whether they proposed to take any island or territory near it or to establish any authority in Egypt itself; or whether they meant to go on in that happy-go-lucky policy which he was afraid prevailed at the present moment among politicians and which was essentially damaging to the interests of the country? He foresaw considerable danger from the formation of the Euphrates Valley Railway. That railway was never encouraged financially by this country, because neither English financiers nor the Government were inclined to spend money on territory belonging to another country. But once let that territory belong to Russia, and let Russia obtain possession of funds by an appropriation of Turkish territory under an infliction of a heavy indemnity, the Euphrates Valley Railway, which had been so long a dream, would ere long become a reality. He should like, therefore, to ask his right hon. Friend further, whether the Government still thought the Indian Empire was worth keeping; whether they still adhered to the policy which induced them to buy the Suez Canal shares, and to that by which, he was happy to say, the Queen was created Empress of India? The last question he would ask the Chancellor of the Exchequer was, what were the intentions of the Government with regard to Greece? He did not, he might observe, agree with the noble Lord the Member for Westmeath (Lord Robert Montagu) in the view which he took in reference to the Greeks. He had lived much among them, and he knew their virtues as well as their vices. On the whole, the balance was, he thought, in favour of the former; but, be that as it might, it was, in his opinion, absolutely essential, seeing that the domination of the Turks was being taken away, to establish some means by which to prevent the preponderance of any one race or religious sect in South-Eastern Europe. The Greeks had a very great ambition so far as Constantinople was concerned; and unless some satisfactory arrangement were now made, there would be constant irritation among them, which would be taken advantage of by Russia, as she had hitherto taken advantage of dissensions between the Christian sects very much to our detriment. While, therefore, he was of opinion that the Government had exercised a wise discretion in insisting that Greece should be allowed to enter the Congress, he should wish to be further enlightened as to the object of that proposition, so that we might see how far it tended to diminish the evils to which we were subjected by the existing state of things. In 1856, before the Congress sat, we knew the full terms with which it had to deal. Then the constitution of the present Principality of Roumania was submitted to a Commission to which all the European Powers sent Representatives. Was that example to be followed on the present occasion? Were we to allow Russia to decide what were European interests or not? Were we going to discuss every question relating to the Treaty of San Stefano, without receiving any information with respect to it, or merely having a scrap thrown to us here and there and then being told that it was a *fait accompli?* He hoped Her Majesty's Government would take a bold and firm course, a step which would save us from war far more than by any vacillation and indecision. The Government ought to be frank to Parliament, for Parliament had shown to the Government an unbounded loyalty. If they allowed this country to be made the plaything of Russia any longer; if we were to be told every day that the Government knew nothing; if we were to be told that the secret was to be kept at Constantinople by the imperious will of Russia over the Turks; and if we were to go in ignorance to the Congress and there be debarred from voting on every subject, then, he said, although they might stave off war for a few months, at the end of the Conference a war would probably break out which would be far more dangerous and detrimental to the interests of this country than any temporary irritation which might be caused by insisting upon our just rights.

Sir WILLIAM HARCOURT: I will not detain the House more than a few minutes while I give an answer to the somewhat severe catechism which has been addressed by the hon. Gentleman the Member for Christchurch (Sir H. Drummond Wolff) to the Chancellor of the Exchequer. It seems to me that there is some poetical justice in the matter, unless, indeed, the Questions were pre-arranged. I should hardly have supposed that that was so; but I recollect that in the course of last winter the Chancellor of the Exchequer assisted at a Conservative demonstration at Christchurch in honour of the hon. Gentleman who has just sat down; and I remember that on that occasion he made a statement, which did not much surprise me, having always admired the abilities of the hon. Member for Christchurch, to the effect that whenever Her Majesty's Government found themselves in a difficulty, they always relied upon the hon. Member for Christchurch to get them out of it. I can only assume that the Government and the country being, as we all know, in a position of peculiar difficulty and delicacy at this moment, have desired the hon. Member for Christchurch to come forward to-night and ask them exactly those Questions which they were anxious to answer. What otherwise would have appeared to be a singularly mischievous and inopportune proceeding on the part of the hon. Member for Christchurch, in this point of view presents itself as a friendly act towards the Government; and I have no doubt that in a few moments we shall hear from the Chancellor of the Exchequer a most categorical answer to the searching inquiries put by the hon. Gentleman, who is always so ready to relieve the Government of their embarrassments. But that is not exactly the course I should have recommended or pursued. We have been in the habit, on this side of the House, of being very severely lectured by Gentlemen who sit below the Gangway on the other side as to the unpatriotic character of our conduct. We have been told that there are two things we ought never to do—we are never to embarrass the Government in a critical position; and, above all, we are never to discredit Her Majesty's Representatives abroad. The right hon. Baronet the Member for Tamworth (Sir Robert Peel) began his speech to-night by discrediting, by anticipation, the person who has been selected by Her Majesty's Ministers to represent this country at the coming Congress. If, then, what is laid down is a sound principle, I beg to point out that it has been most singularly violated by the chief doctors of the doctrine to which I have referred. There has been language of a similar character applied by the noble Lord behind me (Lord Robert Montagu) to another person in an equally responsible position; but I do not think that we must be held responsible on this side of the House for the sentiments expressed by the noble Lord. The noble Lord, like the right hon. Baronet opposite, enjoys the position of an independent Member, and one of the most valuable of the privileges of an independent Member is to condemn and abuse both sides of the House with equal impartiality. The noble Lord has never departed from this principle; therefore I cannot accept the sentiments which the noble Lord has expressed in denouncing Lord Derby, and I wish to take this opportunity of repudiating for myself, and I believe, also, for most of the hon. Gentlemen on this side of the House what, with all respect to the noble Lord, I must call the unbecoming language in which he spoke of the Greek nation. The cause of the Greeks is a cause of which England is proud, and has reason to be proud. I think that one of the noblest chapters of the history of which our Foreign Ministers have reason to be proud is that which relates to the emancipation of Greece, effected under the genius of Canning, though he did not live to see it completed. My belief is that if Canning had not prematurely died, the emancipation of Greece would have been carried to a much greater extent than it was carried ultimately in 1829 and 1830. The great scheme of a great genius was marred, because he was not able to put the finishing stroke to his policy. There is nothing, in my opinion, in the policy of the Government more commanding the confidence of the Government and the approbation of hon. Gentlemen who sit on this side of the House than the announcement that they have determined, as far as they can possibly do so, to support and put forward the claims of Greece in the coming Congress. These attacks on Lord Lyons, and Lord Derby, and the Greeks, do not represent the feeling of this side of the House. We repudiate them altogether. At a time of singular difficulty and singular complication in public affairs and in the foreign relations of this country, we certainly cannot support such a course as that which is now taken; but, on the contrary, we strongly condemn the policy pursued to-night by the right hon. Member for Tamworth, the hon. Member for Christchurch, and the noble Lord who sits behind me. It is an attempt, as it appears to me, most unwisely and most unfitly to compel Her Majesty's Government to state here that which it may be very inconvenient, very unwise, and very impolitic that they should state. The hon. Member for Christchurch has spoken of the support which has been given on this side of the House to Lord Derby. He referred to myself and to the protest I had made, and which I will make again as long as the same system continues, against the indecent abuse levelled against Lord Derby both in and out of this House. I admit that I have made that protest, and I say that I will do so again if the same occasion should arise. The hon. Member for Christchurch said it did Lord Derby much harm. I doubt whether the language of the hon. Gentleman did Lord Derby much harm. [Sir H. DRUMMOND WOLFF said, he had not attacked Lord Derby at all.] I have heard what the noble Lord behind me said in regard to Lord Derby; and if I were to ask a Question on the subject of Lord Derby, which I am not disposed to do, it would be whether Her Majesty's Government are prepared to sever themselves from the policy of Lord Derby? I feel sure that they are not. Everybody knows that the language and policy of Lord Derby are, and must be, the language and policy of Her Majesty's Government; and the attempt to make out that Her Majesty's Government do not approve the language and the policy of Lord Derby tends to discredit, not Lord Derby, but the Government of the Queen, both at home and abroad. Therefore, I protested against this language, and I protest against it again. We are told that the Government, in a period of great difficulty and peril, are to receive the support of a patriotic House of Commons. Then their patron, the right hon. Baronet the Member for Tamworth, comes forward and he talks of their "know-nothing" policy, and the hon. Member for Christchurch, who always relieves them from embarrassment, talks of their "happy-go-lucky" policy. Then they turn upon us and say — "You are embarrassing the Government." I think the Government will be able to judge, from what has taken place to-night, who are those who give to them, not a servile and indiscriminate support, but, at all events, a general support, whenever they are taking that course which they believe to be essential to the interests of the country. As soon as it was known that the Government were coming forward in the Conference, not for the purpose of maintaining a policy which we believe to be past and done with, but with the view of maintaining the rights, not of one nationality, but of all nationalities, you have heard no language of condemnation from this side of the House; but the very moment it was seen that that policy did necessarily involve the confusion and defeat of the Turkophiles below the Gangway, then Lord Derby, next Lord Lyons, then Her Majesty's Government, then any single man and every body of men who stood between them and that course for which they were prepared to sacrifice everything and to drag this country into war—then these Gentlemen below the Gangway came forward and talked of the "know-nothing" policy of the Government and the "happy-go-lucky" conduct of Her Majesty's Ministers. That is not language or conduct which we on this side of the House should imitate; and if the Chancellor of the Exchequer thinks it right to tell the House of Commons that, in the present state of Europe, he does not think it advisable, or expedient, or politic to answer the catechism of the hon. Member for Christchurch, I think he will find that many Gentlemen on both sides of the House will support him. I think he will find that the sentiment of the country is entirely with him, and whatever a small knot of Gentlemen below the Gangway, who think this is a proper moment to embarrass and attack the Government, and to use such language as that which has been just applied to the distinguished diplomatist the Government have selected to represent the nation—whatever they may do, from the great body of the House of Commons, the Government will receive that support which they deserve in maintaining the character and interests of this country.

Mr. PLUNKET said, he had not the least intention of taking part in the debate; but it was really a little more than the most peace-loving Member of the House could submit to, to be patronized as they had been by the hon. and learned Member who had spoken last. Events had happened very rapidly within the last few weeks; but hon. Members would remember one evening when, standing at that Table, the hon. and learned Member had banged the desk before him until pens and papers hopped off it in all directions, whilst he warned the Government of what he was going to do—when he went down to see his constituents at Oxford, the country was to be roused. That was not a moment of absolute tranquillity, and the Government had asked for £6,000,000 in order to strengthen their hands. "But," said the hon. and learned Gentleman, "you shall not have one penny until you tell me whether you are going to adopt the policy of a Castlereagh or of a Canning, and how exactly you are going to re-arrange the interests and pretensions of the conflicting races of Bulgaria." Now he tells the Chancellor of the Exchequer that he is not to answer Questions asked of him by the hon. Member for Christchurch, certainly more gently and politely than those which were put by the hon. and learned Member before he went down to Oxford. Next he told them they were not to venture to criticize the conduct of the Envoys of England abroad. Yet it was only on the night before last that the hon. and learned Gentleman and his Friends spent a long evening and sustained a humiliating defeat in endeavouring to discredit and denounce our Ambassador at Constantinople. That was too much. The hon. and learned Gentleman thought that by standing at that desk and assuming a condescending and magnanimous tone towards the Government, he was patronizing them and defending them from their supporters below the Gangway. Hon. Members were told, above all things, that they must not single out for attack one Member of the Government beyond another; and they were further told that a speech made by one Member of a Cabinet must be taken to have the sanction of the whole body. Now, what happened at Oxford? Was it possible that the hon. and learned Gentleman had forgotten how he sat by when his former Leader assured the world that he had spent 18 months in denouncing the conduct and obstructing the policy of the Prime Minister of England; that he (Mr. Gladstone) could not bring himself to believe that it was the policy of the whole Cabinet. Then it was Lord Beaconsfield, now it was Lord Derby. Perhaps it was because Lord Derby was in the ascendant now that the hon. and learned Gentleman offered that noble Lord his patronage. The policy of the Government—except, perhaps, for one moment, and one moment only—had, up to the present, been united, and there was not a shadow of foundation for these accusations of divergence of views in the Cabinet. The hon. and learned Member was trespassing a little too much on the memory and on the patience of the House, and the goodwill which the House always bore towards him, for the eloquence with which he often delighted them—though, no doubt, it was from a rather exalted station that he usually condescended to enlighten and edify his humbler fellow-countrymen—when he required them to sit and listen to a speech which, if it had any object at all, was intended to incense the supporters of the Ministry below the Gangway against the Government. Who was it, when the danger was critical and the necessity for supporting the Government urgent, who used his utmost efforts to embarrass the Government in their endeavours to preserve peace? It was the hon. and learned Member. But the consequences of that visit to Oxford had had a very healthy effect upon the hon. and learned Member, and ever since he had sat comparatively quiet in his place; but, when he thought that he had the chance given to him by the right hon. Baronet and the hon. Member for Christchurch, he was eager again to hold his sharp lance aloft and dash into the fray. With that noble and condescending manner he knew so well how to assume, he came down now to patronize the Government against their insubordinate supporters. He (Mr. Plunket) did not believe that at that moment the Government required the patronage of the hon. and learned Member. No doubt, when they did want his support, they would get it! Meantime, he hoped the hon. and learned Member would appreciate how very grateful they all felt for the assistance the hon. and learned Member had so frankly and patriotically given to them. He would not say a word against Lord Lyons or Lord Derby. Certainly, every hon. Member was entitled to make any inquiries he pleased; and, on the other hand, he thought the Government had a right to answer only such Questions as they considered they could answer with propriety. He, for one, was not going to press the Government for any premature disclosure of what they were doing; and if they thought it not advisable to make any statement at the present moment, he was sure the whole House, and no one more than the right hon. Baronet who had initiated this debate, would be satisfied. Hitherto they had from point to point kept the House fairly and fully informed, and he was sure in the future they would continue to enjoy the approval and support of the great majority of that House and of the people in the course they might decide to take.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am quite sure that the House will feel that there is something a little inconvenient in the discussion which has been raised. At the same time, I am bound to say that I do not in the least degree impute to the right hon. Baronet the Member for Tamworth (Sir Robert Peel), or to others who have taken part in this discussion, the slightest intention of embarrassing or annoying the Government. I can quite understand that they feel—and the House feels, as the country feels—very great anxiety at the present time. I can quite understand that the anxiety which is felt at so great a crisis naturally leads to the expression of sentiments, and to the putting of questions which are a proof of that anxiety; and I do not in the least believe that what we have heard to-night has been intended to convey any opinion of want of confidence in the Government. On the contrary, I should rather be inclined to accept the remarkable string of Questions, put to us as a proof of the confidence which my right hon. Friend places in us—that is to say, in our power and determination—whatever Questions are put to us, not to say anything which may be contrary to the interests of the country; and, therefore, I trust that in the same spirit in which I receive the Questions they may be received by the House. I stated at the beginning of the evening our general view with regard to the principles upon which we were to enter the Congress. I said that we were to enter the Congress, reserving our full right of individual action and decision on the matters which came before it; that if we were in a minority, we were not to be bound by the decision of the majority; and I stated further that England would require that the whole of the questions involved in the Treaty concluded between Russia and Turkey should be brought to the knowledge of the Congress in such a manner as to enable the Congress to take them into its consideration with the view of deciding upon them. I think I cannot say more than that, because the whole covers the parts; and it is unnecessary, and somewhat inconvenient, after having made a statement as a whole to be called upon to say what we will do with reference to this particular item or that particular item—"Do you, or do you not, intend to register that which has already been done; or, before you go, do you intend to have a voice and consider the question?" I say, of course, if it is a matter involving European or English interests, we shall claim to have a voice in the discussion of it, and we shall not accept as practically concluded against us points which have been settled without our having a part in settling them. I cannot say more than that, and I do not see there is any use in repeating it. I trust, therefore, Sir, that I may be excused from entering into detail on the questions which have been raised. Now, with regard to the Question which the right hon. Baronet has put as to the selection of our Representative, I must ask the House to believe and consider that in all these matters the Government is acting as a whole, and that the Representative of England, whoever he may be—whether it be the Foreign Secretary, or Lord Lyons, or anybody else—will be there as the Representative of the united Cabinet and Government of England; and it will be in the name and under the instructions of the Government of England that he will take his share in the Congress. I think it is both unnecessary and inconvenient that any Questions should be put to go behind that responsibility. If any valid reasons could be adduced against the selection of Lord Lyons, I admit that it might be a fair thing, in this House, that those reasons should be stated; but, really there have been no such reasons given; and I can most assuredly say that Lord Lyons stands in the highest position in our Diplomatic Service, as the senior of our Ambassadors, as one who has held the highest posts, as one who has had practical acquaintance with Constantinople, where he was an Ambassador for some time — all these positions which he has held in our Service must necessarily make him familiar with all that has been going on during the last two or three eventful years, and will enable him to represent the Government in the most perfect, and, we are satisfied it will be, in the most able, manner. I may also say, although I do not think it is necessary I should touch upon such a point — I may venture, as the right hon. Baronet has raised the question of the personal opinions of Lord Lyons, to say that from communications I have had myself with Lord Lyons, I know it is incorrect to represent him as holding such opinions as have been imputed to him, and that it is altogether incorrect to suppose he has taken any position which would be antagonistic to the views which have been held and expressed by other Representatives of Her Majesty's Government. I know that those of our Representatives who have had a share in the conduct of these affairs are perfectly satisfied with him, and fully admit that no man is better qualified or more thoroughly to be trusted in such a matter than Lord Lyons. But, Sir, it is really not a question at all of what the personal opinions of Lord Lyons are. He is a man eminently fitted for any diplomatic business. He is one who will conduct the negotiations placed in his hands with dignity, with tact, and with a perfect acquaintance with diplomatic usages, and a most complete knowledge of the relations in which he stands to Her Majesty's Government. I wish it to be clearly understood, that from the beginning to the end, whatever may take place, Lord Lyons will represent Her Majesty's Government at the Congress, and that it is not he, but they, who are responsible to the country. I will not attempt to follow the noble Lord the Member for Westmeath (Lord Robert Montagu) into some of the topics he has touched upon. I own I was rather surprised that he should have allowed himself to make use of one or two of the expressions which fell from him. And, especially, I do not think it ought to go forth to foreign countries at such a moment as this, that such expressions have been used in this House, as that the British Fleet is in such a position that the Russians could within 12 hours destroy or capture it if they chose. I entirely deny that statement, and regret that at such a moment the noble Lord should endeavour to damage his country That statement is not patriotic.——

Lord ROBERT MONTAGU: Mr. Speaker, I must rise to a point of Order. The Chancellor of the Exchequer imputes a motive to me. He says that my statement about the Fleet was an endeavour to damage my country. I never intended to do anything of the kind. What I endeavoured to do was to save the country from the bad management of Her Majesty's Government.

The CHANCELLOR of the EXCHEQUER: I will, then, withdraw the expression "endeavour to damage his country," and I will accept his own view—that his language was an endeavour to save the country; but I leave it to the judgment of the House whether it is an endeavour likely to be successful. At all events, I will venture to say that in my view true patriotism rather consists in supporting your country, unless you are prepared to challenge and withdraw your confidence from the responsible Ministers of the Crown, and to relieve them of that responsibility. Sir, we have had a most difficult task to perform. We have, at the present moment, a task of the very gravest difficulty, and we do appeal to Parliament—we do appeal to the country, if they are still disposed to trust us with the administration of affairs, not to weaken our hands. I think I need say nothing more upon the particular questions that have now been raised; but I do wish before I sit down to speak very earnestly to the House upon the position in which we stand at the present moment with reference to the Business of the House. It cannot escape the attention of many hon. Members, that in this attempt to strengthen our hands, the House is practically stopping our proceeding with the Navy Estimates, and that we are in a state of very great difficulty and embarrassment; because until we get the first Vote in the Navy Estimates—until we get the Vote which will give us the number of men—it is impossible for us to proceed with the Marine Mutiny Bill. Time is drawing on, and my right hon. Friend the First Lord of the Admiralty, who is now charged for the first time with the duty of bringing forward the Navy Estimates, at a most critical period in the history of the country, has been endeavouring, but without success, to get into Committee and to bring forward the Navy Estimates. At a time when it is most important that our Naval Force should be in proper order, he has for two nights been endeavouring to get into Committee, and his statement has not been made. Now, it will be impossible to give my right hon. Friend Monday for going on with this question; because on Monday it is essentially necessary that we should take the Supplementary Estimates. There are Supplementary Estimates for the Naval, Military, and also for the Civil Services, and these must be taken on Monday next; because, unless we sit on Saturday, that is the last day on which these Estimates could be taken in order to carry through the necessary measures for voting the money and passing the Bills before the close of the financial year. Therefore, we are in this position. It is too late to go on with the Navy Estimates to-night, and unless we can by some arrangement induce the House to agree to go on with them to-morrow, we shall be thrown over for another week. The position is very serious indeed. I do not deny the natural anxiety of Members to take the opportunity of bringing forward subjects in which they are interested, and I do not deny that a great deal of interesting matter has been advanced in the preliminary discussion; but hon. Members must be good enough to look at this question as a whole, and consider in what position the House is placed. I am not making this appeal in the interest of the Government, but really in the interest of the public service. I trust we shall be permitted to put down the Navy Estimates for to-morrow, and that it will be possible for us to proceed with them.

Mr. CHILDERS said, that perhaps he might be allowed to support, to the best of his power, the appeal which had been made by the Chancellor of the Exchequer. In justice to those who sat on that—the Opposition—front bench, he must say that, although some of them took great interest in naval questions, not one of them had risen to speak on those subjects that night, as they were most anxious that the First Lord of the Admiralty should make his statement. He hoped that to-morrow the House would go into the Navy Estimates at as early a moment as possible.

Mr. DILLWYN did not object to the appeal of the Chancellor of the Exchequer; but wished to point out that the Members below the Gangway, who were so often charged with obstructing the Business of the House, were not chargeable on this occasion with having caused any unnecessary delay.

NAVY—CASE OF MR JOHN CLARE.

OBSERVATIONS.

Mr. O'DONNELL protested against the manner in which the only question in the preliminary discussion on going into the Navy Estimates that the Irish Members took an interest in was interrupted by a discussion utterly irrelevant to the question of the Navy Estimates. The hon. Member for Cavan (Mr. Biggar) had brought forward the case of John Clare and stated it very clearly, and was replied to in the most cursory manner by one of the junior Members of the Government, who simply told them that the matter had been looked into at the Admiralty, and that the Admiralty did not wish to be troubled any further about it. When an endeavour was about to be made to support the case brought forward by the hon. Member for Cavan, up rose the right hon. Baronet the Member for Tamworth (Sir Robert Peel) and proceeded to unburden his great soul. As a Committee was now sitting on the question of Public Business, he hoped some arrangement might be devised to prevent delays by such a far-fetched and fanciful discussion as that raised by the right hon. Baronet. The Chancellor of the Exchequer had appealed to the House to cut short all further discussion, and he had denounced the language of the noble Lord the Member for Westmeath (Lord Robert Montagu), while quite as hard expressions were used on the other side of the House and passed over in silence. He wanted to speak of the case of the unfortunate Mr. Clare, and asked the House to listen to him while he read a few lines of no ancient date to remind them that there was something serious in this question. In reply to a Memorial signed by some hundreds of persons, including the leading members of the Mercantile Marine at Liverpool, no less an authority than the present Home Secretary returned this answer to the unfortunate petitioner, Mr. Clare, who now asked for the protection and justice of the House—

"Broughton-in-Furness,
"6th November, 1872.

"Dear Sir,—The Memorial you sent states many facts which are not within my knowledge; but I do think that, as stated at paragraph 19, you have contributed materially to the present system of construction of vessels of war, and I wish that some compensation could be granted to you, whatever may have been your strict legal rights.—Yours truly,

"(Signed) Richard Assheton Cross."

Paragraph 19, to which reference was made, was to the following effect:—

"Whatever may have been the strict legal right of the said John Clare to the said papers, your memorialists conceive he has contributed most materially to the present system of construction of vessels of war, and that he is entitled to some compensation or remuneration in respect thereof."

He did not think it had ever occurred to anyone to accuse that House of niggardliness in cases in which plain justice and right could be settled at the cost of the public purse. It had been rightly suggested by an hon. and gallant Member opposite—he thought the Member for Southwark (Colonel Beresford)—that the real merits and demerits of this case could be sufficiently determined by its reference to any ordinary Member or group of Members of that House; and if such a reference were made, he (Mr. O'Donnell) had little doubt that justice would be done, and fair compensation given to Mr. Clare. It might be urged that the improvements introduced by Mr. Clare had no longer that importance in the naval defences of this country that they had at the time of their introduction. He readily granted that. But if it were true—as he maintained that it was—that the vast improvements on preceding systems of naval construction, as represented in the *Warrior* type, were due to a fraudulently-appropriated patent of Mr. John Clare, then he thought hon. Members would admit that, even after so many years, justice should be done to the unfortunate inventor. No doubt when Mr. Clare's patent was shown to the Admiralty they wondered why they should not have thought of that themselves, and no doubt they came to persuade themselves that they had thought of it themselves. In the year 1853 Mr. Clare applied for a patent for a new system for the construction of iron ships. Instead of building iron ships by building the hull simply upon vertical ribs independent of each other and of the general design, and only bound together into the framework of a ship by the various plates rivetted to those ribs, Mr. Clare proposed that they should first build up the skeleton of the ship complete and entire, and that the ribs should be bound together by longitudinal girders, and all its framework completed before a single plate was put on. By this means ships of great size, combined with great strength and buoyancy became possible; while previously iron ship constructors saw no way of strengthening their hulls except by thickening the iron plating, to the immense loss of power of flotation, and to the increased risk of becoming "broken-backed" from the enormous weight depending on mere vertical ribs bound together by no independent connection. In a word, Mr. Clare revolutionized the art of iron shipbuilding by substituting compactness and cohesion of frame for dead weight of envelope, and a closely-knit and powerful skeleton allowing of a light skin and great buoyancy, for a ponderous skin, restricted flotation, and a weak and disconnected skeleton. It was in 1853 that Mr. Clare obtained his patent, and it was at once made known to the Admiralty. For year after year correspondence went on between the Admiralty and Mr. Clare. In 1856 Mr. Clare made a model and sent it to the Lords of the Admiralty, with further improvements upon his skeleton ship. Besides this improvement, he submitted a model of a ship on the "lattice-work" girder system on which the *Warrior* was subsequently built, but on which the naval authorities did not admit that the *Warrior* was subsequently built. Now, when it was found that the combination of longitudinal and vertical ribs was laid before the Admiralty in 1853, and when it was found that the model was presented to the Admiralty in 1856, and when it was found that the *Warrior* was only designed in the year 1859, they must be irresistibly impelled to the conclusion that the design for the *Warrior* was taken from the design of Mr. Clare. Of course, this was only what the Admiralty ought to have done; but they took the design of the *Warrior* from Mr. Clare, without the authority of Mr. Clare, without compensation to Mr. Clare, while forming a resolution, so far as he was able to judge, to deny to Mr. Clare the entire merit for Mr. Clare's own patent. There resulted Petitions and the usual answers from the Admiralty, which had been continued until the present day. On the last occasion when this question was brought up, Her Majesty's Government had the powerful assistance of the hon. Member for Pembroke (Mr. E. J. Reed); but that assistance would have lost its weight with the House if hon. Members had remembered that the hon. Gentleman, though not Chief Constructor of the Navy, had been so during the period when Her Majesty's Government were making this unacknowledged use of the patent of Mr. Clare. It was open to doubt whether the reputation of the Admiralty for originality would not have seriously suffered if an inquiry had been granted; and he was not surprised that the aid of the ex-Constructor should have been lent to prevent such inquiry. Mr. Clare tried his fortune in the Courts of Law; and, in spite of the fearful odds against a private complainant, his failure was not a foregone conclusion. In the course of that trial the counsel for the Petitioner and all the witnesses for the Petitioner, and all his friends were surprised and astonished by the remarkable evidence forthcoming on the part of Her Majesty's Government. Her Majesty's Government were so fortunate as to find scientific witnesses whose recollection was so remarkably convenient that they actually came forward to swear that the model of the *Warrior*, that the type on which the *Warrior* was built instead of showing progress in naval architecture was, in reality, a return to the earliest days of iron shipbuilding. Witnesses were found to come forward on the part of Her Majesty's Government and swear that they perfectly recollected that the skeleton and framework of H.M.S. *Warrior* was anticipated by the construction of a petty iron steamboat intended for the South African Trade somewhere about 1830 or 1832. It must strike every Member of that House—it must have struck all average common sense—that this was a remarkable piece of evidence, and that it was strange that no ship of the same kind had been constructed since, and that no model had been preserved—that it should have escaped the knowledge of the most able architects, and that its utility should only be discovered when Mr. Clare made a claim for a patent. The singularity of the coincidence must strike every Member. The evidence of members of the Constructive Department of Her Majesty's Admiralty completely astonished and confounded, he would freely admit, the friends of Mr. Clare. His lawyers asked for witnesses who could rebut the extraordinary memory of Sir Charles Fox and Mr. Scott Russell. They turned to Mr. Clare, and asked—"Can you find two or three respectable shipbuilders who can find how that little ship *Alburka* was built in 1830; you see how lucky Her Majesty's Government were to find this ship at this precise moment; they have got witnesses who have sworn your patent was known to the whole world in

1830, and it is quite clear that your case is lost unless you can produce witnesses as far back as Sir Charles Fox goes to rebut his extraordinary evidence." This evidence came suddenly upon Mr. Clare, and rendered it utterly impossible for him to produce the necessary rebutting evidence within a few hours or a few days; and when a Petitioner had nothing better to say than that he believed if he had time he could get rebutting evidence, when he was a private man fighting against the strong power of the Government, what chance had such a Petitioner to have his claim listened to? Sir Alexander Cockburn was naturally struck by the evidence presented by Her Majesty's Government. Sir Charles Fox and Mr. Scott Russell were men of the highest experience. Everyone knew what the Judge did when there was apparently conclusive evidence of this character, and when the unfortunate plaintiff had not the means of procuring rebutting evidence. Of course, the case went against Mr. Clare; and having failed, as the best of men had failed before, owing to the chances of the law, what could poor Mr. Clare do? He raised up a subscription among his old neighbours—those who knew his genius and respected his integrity—until he was able to produce unmistakeable evidence which utterly upset the remarkable and marvellous evidence so suspiciously produced by Her Majesty's Government at the trial which ended so unfortunately for Mr. Clare. He did not think Her Majesty's Government could refuse to submit this case to the arbitrament of two independent Members of that House, on whichever side of the House they might sit. Sir Charles Fox had sworn that he remembered exactly having seen the ship *Alburka* constructed for the African Trade in 1830 or 1831. He had watched over it with paternal feelings; which made it all the more remarkable that, having studied the *Alburka* in 1830, he forgot all about it until it was necessary to think of it in order to disprove the statement of Mr. Clare. He remembered superintending the construction of the *Alburka.* Such was Sir Charles Fox's story; but Mr. Andrew Morrison, the actual designer and constructor of the vessel in question, was fortunately discovered by Mr. Clare, and clearly stated the whole of the facts, to the utter discomfiture of Sir Charles Fox's marvellously opportune memory. Mr. Morrison stated that in 1830 he designed, laid down, constructed, and assisted in building an iron steamer in Liverpool called the *Alburka,* 60 feet long, constructed on vertical rib bars, held in their place by plates held by rivets. The *Alburka* being one of the earliest steamboats that was constructed, was built in the old fashion, and not upon the later plan, which was not known until Mr. Clare placed his patent in the hands of the Government. That was how the *Alburka* was constructed, and not in any degree on the same plan as the *Warrior,* as stated by Sir Charles Fox. Then Mr. Morrison went on to say that, so far as having anything to do with the construction of the *Alburka* was concerned, the statement of Sir Charles Fox was untrue, as no one but himself had anything to do with the construction. The *Alburka* was the first vessel of that kind constructed in Great Britain for sea-going use, and not on longitudinal and vertical bars, but on the old system of which it was, in fact, the earliest example. Every point, every tittle, and every iota of Mr. Morrison's statement could be examined and verified on reference to evidence, and it could only tend to show that Sir Charles Fox had no knowledge whatever by which he could judge of the *Alburka,* and that the *Alburka* was not what Sir Charles Fox declared her to be. Mr. Scott Russell, the other Admiralty witness, had professed himself to be able to depose that a vessel called *Her Majesty,* plying between Ryde and Portsmouth in 1851, was on the same plan as the *Warrior.* He said he had recently inspected a vessel called *Her Majesty,* and that this vessel in all essentials anticipated the plan of the *Warrior,* and therefore there was no necessity for the *Warrior* being filched from Mr. Clare's patent. That was another piece of evidence sprung on Mr. Clare; but, fortunately, he was able to produce evidence to show that the case of *Her Majesty* also utterly failed to prop up the Government case about the *Warrior.* A vessel called *Her Majesty* was sworn to by Mr. Scott Russell as having been built by him in 1850 or 1851, and that the plan of using vertical and longitudinal bars was adopted in such vessel, and that the mode of constructing the *Warrior* and the mode of constructing *Her Majesty* was identical. George Frederick Goble, consulting engineer, gave a quantity of independent evidence. He said he went down and examined the ship *Her Majesty*, and found she was not built upon the system of combined vertical and longitudinal bars, that she was not a strongly built iron skeleton ship, according to Mr. Clare's patent; but simply built by ribs kept in their places by plates rivetted on. So that the case of *Her Majesty* proved to be as rotten as the case of the *Alburka*. So extraordinary was the evidence of Mr. Scott Russell, so extraordinary did it seem to Mr. Clare and Mr. Clare's friends, that an application for committal for perjury was made against Mr. Scott Russell. He did not want to do more than refer the House to the judgment of Mr. Arnold, the magistrate, who expressly said—and the text of his judgment was open to the inspection of the House—that in the case of an ordinary person he should not have hesitated to grant a committal for perjury, and the only thing that made him hesitate was the distinguished position of Mr. Scott Russell. It was plainly proved before him that there was not the smallest similarity between the construction of the ship *Her Majesty* and the *Warrior;* but he put it to the applicant whether, considering the high standing of Mr. Scott Russell, it was not difficult to believe that the statement was the result of deliberate perjury rather than of an untrustworthy memory. Therefore, Mr. Arnold recommended that permission should not be further sought to prosecute Mr. Scott Russell for perjury, merely because he was a respectable man. Mr. Clare, being also advised by his lawyers that probably a jury would give Mr. Scott Russell's high standing "the benefit of the doubt," did not go on with the prosecution for perjury. It was in this manner that he declined to make a charge of wilful and corrupt perjury against the Admiralty swearers, though the evidence on which Mr. Clare was upset in his appeal to a court of justice was thus proved utterly fallacious. It was proved that no one was the designer of the *Warrior*, except the designer of the model of Mr. Clare, which had been in the hands of the Admiralty for years before the *Warrior* was designed, or was built. Under these circumstances, was it not right and just, was it not necessary for the reputation of Her Majesty's Admiralty, that this grievance should be settled? Was it not at least worthy of some inquiry by somebody less prejudiced than the officials of the Admiralty? In what case was that House ready to accept the dictum of officials in maintaining abuses, supposing that abuses existed, as alleged? He asked the House to see that an impartial tribunal was established to try this matter. Former investigations had been made by members of the Admiralty, or by distinguished members of the bureaucracy of this country. Was it not the duty of that House, in the interests of justice, to see that these officials should submit to something like inquiry? The questions would be—Was it true that the *Alburka* was constructed, as Sir Charles Fox swore, on the same model as the *Warrior?* Was it true that the ship *Her Majesty* was or was not the forerunner of the *Warrior*, and that the *Warrior* was or was not built upon the model of Mr. Clare? That model was placed before the Lords of the Admiralty in 1856; and when the *Warrior* was only laid down in 1858-9, was it not plain that some compensation was due to this unfortunate man? He was perfectly ready to accept the judgment of any fair and honourable Member of that House. At the trial, Mr. Watts, of the Admiralty, admitted that previous to building the *Warrior* they saw all the plans and models of Mr. Clare, "but they adopted nothing." The Lord Chief Justice said—"Are you sure of that?" The Admiralty witness said they had adopted nothing; but if hon. Members would go to the Admiralty and ask for the framework of the *Warrior*, and ask for the framework of the model, they would see that the framework of the *Warrior* was drawn almost, as it were, in every detail, from the framework of the model sent in years before by Mr. Clare. Such was the case he had to lay before the House; and he never would consent to bring forward the case of any inventor again if a Committee of that House did not say that in all essential details Mr. Clare was the inventor of the plan on which the *Warrior* was built. If they did find that, they would say that some compensation was due to this ruined man.

Mr. PARNELL submitted that the discussion of this question at that late hour was not due to any fault of their own, but to the discussion on the Navy Estimates of questions like those raised by the right hon. Baronet the Member for Tamworth (Sir Robert Peel). This question had reference to the Navy; the question raised by the right hon. Member for Tamworth had no relation whatever to the subject before the House. It was now 20 minutes to 2, and it was impossible that the case of Mr. Clare could meet with necessary and satisfactory discussion. He must point to it as a case of hardship, and he must say the right hon. Gentleman the First Lord of the Admiralty (Mr. W. H. Smith) might have signalized his accession to office by taking this case in hand, instead of paying no attention whatever to it. They had had an animated debate on the subject of the East; but if they had not had their iron-clad Fleet, they could not have stood long in the East, and could not have had that iron-clad Fleet in the Dardanelles. Now, he maintained that if it had not been for the painstaking exertions of Mr. John Clare this question of iron shipbuilding would not have been so much advanced for another 10 years. He believed that the longitudinal and vertical bars were his invention. He sent his models and plans to the Admiralty, and these were, or ought to be, now in the possession of the Admiralty. Mr. Clare maintained that those were the plans on which the *Warrior* was originally built; and, having failed to obtain recompense for his plans, he commenced proceedings against the Admiralty for infringement of patent. What was the defence of the Admiralty? That they had not used the plans of Mr. John Clare, but plans which had been previously used. They went back to the year 1833, and got some of the witnesses to attempt to prove—though they were subsequently alleged to be perjured witnesses—that the *Warrior* was built on plans in force in that year; whereas it was shown that this system of framing was by no means in existence in 1833. The *Warrior* was the first vessel built with her framing on this principle, even if there had been more than one vessel built on that principle at that time. It was subsequently proved that the framing of *Her Majesty* was not on the same principle as that of the *Warrior*. The facts of this case, although difficult to put before the House of Commons, could be easily told to a Select Committee; and although John Clare might be a poor old man now broken down in health and fortune, yet a man who had spent fortune and life in concerns which were an honour to the Admiralty, should not now be neglected. It concerned the honour of the Government and of the House of Commons that they should hold an investigation into the matter by means of a Committee of that House. The facts of the case were in a nutshell. Either Clare's claim was valid or not valid. If the Government could show that there was anything of this kind in existence before John Clare's invention in 1850, then their case was proved; but if they could not show that such a system was in existence, then John Clare had a claim for a small amount from the Government, which might be a comfort to this unfortunate man's declining years, and might smooth his path to the grave. He certainly thought that the First Lord of the Admiralty might inaugurate his entry to office by directing his attention to the case of John Clare; and he hoped a Select Committee of that House would be appointed to see justice done between man and man.

Mr. ASSHETON CROSS said, he rose to make a remark, simply because his name had been mentioned in relation to this matter. So far as he was concerned, all that he knew was that it appeared that in 1861 Mr. Clare sent in a Petition, and that, of course, was referred to the Admiralty. The case, after that, went for trial, and was heard in 1863 before Justice Cockburn and a special jury, and Mr. Clare's application was disallowed. A new trial was applied for, but that new trial was unanimously refused. In 1863 Mr. Clare called at the Home Office with a Petition for presentation to the Queen, which was referred to the Admiralty. In June of the same year, he instituted legal proceedings against Sir Charles Fox. He failed, and a new trial was refused. If he had any further statement to make, the same course was open to him as to anybody else. In 1864 the matter was brought before the House of Commons. A Motion was made for a Committee of the House of Commons to inquire into the circumstances of the case; but the Motion was negatived. In 1866 certain proceedings were taken before Mr. Arnold against some of the witnesses for perjury.

Nothing came eventually of that prosecution; and he (Mr. Cross) was not aware that any correspondence took place with the Home Office after that with Sir George Grey until 1874, when he (Mr. Cross) came into office. Some years before that, Mr. Clare had presented his case before the magistrate. He did not know whether the matter had been fully inquired into or not; and, without any reference to the legality of the claim of Mr. Clare, he had no objection to its being brought before him. When he came into office he took an unusual course, thinking he should like to see what there was in the case. Therefore he took the unusual course of sending Mr. Clare's request for a Petition of Right to the Law Officers of the Crown. They informed him that the claim was without foundation, and they could not advise it to be entertained. He quite agreed with what Sir George Grey did in the matter; and it was on that account that he had wished to explain the circumstances under which he wrote the letter which had been referred to. The Law Officers of the Crown were of opinion that Mr. Clare had no claim whatever.

Motion, by leave, *withdrawn.*

Committee *deferred* till *To-morrow.*

WEIGHTS AND MEASURES BILL.

Select Committee on Weights and Measures Bill *nominated*:—Lord LINDSAY, Mr. WHITWELL, Mr. EDWARD STANHOPE, Mr. ALEXANDER BROWN, Mr. STAVELEY HILL, Mr. M'LAGAN, Mr. PELL, Mr. STANTON, and Sir GEORGE BOWYER:—Power to send for persons, papers, and records; Three to be the quorum.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, 15*th March*, 1878.

MINUTES.]—PUBLIC BILL—*Select Committee*—Contagious Diseases (Animals) (37), *nominated.*

PARLIAMENT—THE EASTER RECESS.

QUESTION.

EARL GRANVILLE: My Lords, I think it would be convenient to your Lordships' House if the noble Earl at the head of the Government would state what arrangements he proposes to make with respect to the Easter Recess?

THE EARL OF BEACONSFIELD: My Lords, we propose that the House shall rise on the 16th of April and meet again on the 14th of May. Of course, that arrangement is made subject to the occurrence of anything extraordinary in reference to the Public Business between this and the 16th of April.

ST. KATHERINE'S HOSPITAL—THE ROYAL COMMISSION, 1871.

QUESTION. OBSERVATIONS.

VISCOUNT ENFIELD (Lord STRAFFORD) wished to ask Her Majesty's Government, Whether any steps will be taken to carry out any of the recommendations of the Royal Commission of 1871 with respect to the management of the revenues and the constitution of the Royal Hospital of St. Katherine, near the Tower, but now situate in the Regent's Park? The noble Lord said, that in the year 1871 a Royal Commission, comprising the names of Lord Hatherley, Mr. Spencer Walpole, M.P., and Sir Travers Twiss, made an elaborate Report upon this subject, together with certain recommendations, 22 in number; but he believed that no action had as yet been taken in the matter. The present moment was not an inopportune one for moving in this question—first, because the post of Master of the Hospital, vacant through the death of Mr. Ashley nearly a year ago, had not yet been filled up; and secondly, because just now a stir was being made with a view to procure a suffragan Bishop for the East End of London; and this Hospital, being in part an ecclesiastical foundation, some of its funds might, with propriety, be diverted towards providing a stipend for this auxiliary Bishopric in the East and North of London. He might remind their Lordships that the Hospital and its revenues originally belonged to the Eastern part of this Metropolis, and that about the year 1825, the St. Katherine's Dock Company, under the powers of their Act of Parliament, took possession of the site of the Hospital near the Tower, and the church and other buildings of the Hospital were removed to their present site in the Regent's Park. With respect to its revenues, he could only quote with any accuracy the receipts for five years between 1864 and 1868 inclusive. They were—in 1864,

£9,144 5*s.* 1½*d.*; in 1865, £9,746 10*s.* 8½*d.* in 1866, £6,834 4*s.* 11½*d.*; in 1867, £6,528 16*s.* 5*d.*; in 1868, £6,212 14*s.* 2*d.* In reference to the expenditure during those years, the Report of the Royal Commissioners said that it nearly balanced the receipts. It was stated on the authority of such experienced officials as the Messrs. Clutton, that by an improved system of management these receipts might be very materially increased. He would not go into the details of the scheme advocated by the Commissioners of 1871; but as some time had now elapsed since that Report, and as the claims of London for additional ecclesiastical, educational, and charitable assistance were annually increasing, he ventured to ask those in authority, Whether, in their opinion, the funds of this ancient foundation, originally established in the year 1148, and rejoicing in the patronage of Queen Matilda, Queen Eleanor, Queen Philippa, and Queen Katherine, might not, under the beneficent rule of Queen Victoria, contribute more than it had hitherto done towards the promotion of sound education and true religion within the area of the Metropolis.

THE LORD CHANCELLOR said, that in pursuance of precedent, and following the example of what had been done in reference to the Reports of other Royal Commissions, Her Majesty had signified to the Lord Chancellor her desire that rules for the better management of the institution referred to by the noble Viscount should be prepared. Those rules were in the course of preparation, and in drawing them up the recommendations of the Royal Commissioners would be duly considered.

EARL NELSON expressed surprise that neither the noble Lord who asked the Question, or his noble and learned Friend on the Woolsack, had made any reference to the action of the House of Lords in this matter in July, 1871. The House then sent an Address to Her Majesty, praying that, in any scheme founded on the Report, due attention might be paid to the spiritual and educational necessities of the parishes adjacent to the new precincts. Her Majesty was graciously pleased to accede to this prayer, and he (Earl Nelson) sincerely hoped the Lord Chancellor would not forget such claims in drawing up the proposed rules. If the hospital was removed to the East of London, the money and influence of the inmates would be of great good, even if the constitution of the body was very little altered; and the old traditions would lead many to work among the sick, and to attend to their spiritual necessities. The 29th clause of the Report distinctly ignored these local claims, and the House, after debate, deliberately resolved in their favour.

LORD HATHERLEY said, the Hospital was founded in the 12th century, and its patronage was remarkable, being vested in the Queen Consort for the time being, and if there was no Queen Consort, then in the Crown; the revenues of the foundation had largely increased, and he thought should be made more useful for public purposes than hitherto. In considering the Report of the Royal Commissioners, due weight would be given to the points suggested by the noble Lord.

ARMY RECRUITING—FRAUDULENT RE-ENLISTMENT.

QUESTIONS. OBSERVATIONS.

THE DUKE OF BEDFORD asked the Under Secretary of State for War, Whether the fraudulent re-enlistment of men belonging to the Army Reserve mentioned in the Report of the Inspector General of Recruiting prevails to any considerable extent?

LORD ELLENBOROUGH: My Lords, with the permission of the noble Duke (the Duke of Bedford) I venture to interpose for a few minutes before the noble Lord the Under Secretary of State for War replies to the Question just put, for the convenience of the House and the noble Lord representing that Department here, to submit to your Lordships that the class of desertions to which I would refer are those of the severer type—namely, those accompanied by double enlistment. I cannot disguise from your Lordships that the changes lately introduced have not tended to lessen desertions. Enlistments for the Army at large have not tended to lessen the growing evil complained of in any respect. I would further submit to your Lordships that strictness of discipline does not tend to desertion, but on the contrary. It is, therefore, a misapprehension to suppose that occupation of any kind, compatible with discipline, tends to it; but occupation and amusement are preventatives of this crime—weighing as an incubus upon the efficiency of the Army. The constant change of medical officers has a pernicious effect, as also anything that tends to make the regiment less of a home than formerly. What would the feelings of your Lordships be if, when recovering consciousness when suffering from fever, you beheld a stranger at the bedside, or suffering from wounds? The more recent changes, making such a state of things possible, does not tend to make soldiers remain with the colours, even when not resorting to the commission of the crime of desertion, accompanied by the additional offence of a double or fraudulent enlistment. There is great inconsistency on the part of the Legislature in marking indelibly, in the case of vaccination, tender infants; but refraining from marking deserters from Her Majesty's Service, who have twice, and sometimes thrice, taken the public money by fraudulent enlistment. The two questions—namely, enlistment and desertion, are more intimately connected than appears to be the case at first sight. That the discontinuance of that immediate local connection in recruiting tends to desertion is a well-known fact to those having an intimate knowledge of all appertaining to it, and it would occupy too much of your Lordships' time to enter minutely into particulars so as to make these matters sufficiently plain to the uninitiated. It is not sufficient, I submit, to not discourage recruiting in the localities where the regiments were raised; but it should be actively promoted in this manner—namely, by sending parties from the particular regiments for which they recruit, personally acquainted with the localities in question, to raise recruits to serve with those in the particular regiment where their friends and relatives are already serving. It has been done, and could be done again, as was the case in the regiment I had the honour to command, and other regiments also, at the period referred to by me. But, my Lords, when this connection has been lost, it cannot be at once actively renewed. As there will be other occasions, my Lords, of alluding to this subject, I will refrain from making further observations at the present time, concluding with moving the Questions which stand in my name on the Notice Paper—namely, To ask the Under Secretary of State for War the number of desertions from the Forces generally, and more particularly those of the Reserve; and if Her Majesty's Government are prepared to incur the necessary expense of a really crucial test in order to ascertain with greater accuracy the desertions from all branches of Her Majesty's Forces, by a simultaneous roll-call, thereby testing with greater accuracy the extent of desertion from Her Majesty's Embodied Forces, as also from the Militia and Reserves?

VISCOUNT BURY, in answer to the Question of the noble Duke, was glad to say that fraudulent re-enlistment of men belonging to the Army Reserve into the Army did not prevail to a very great extent. Since the 16th of August, 1877, about 50 cases of Army Reserve men fraudulently re-entering the Army, or enlisting for the Militia, had been brought to the notice of this branch of the Service. As a rule, the men who had fraudulently re-entered the Army had been tried by court martial and held to the Army, and struck off the strength of the Army Reserve. The men who had enlisted for the Militia were held to the Army Reserve, and their Militia engagement cancelled as null and void under the Militia Act of 1875, section 77. It was not probable—and indeed hardly possible—for men who had fraudulently returned to the Army to present themselves for quarterly payments as Army Reserve men. They would have to obtain leave from their regiments, and present themselves in civilian clothing. The strength of the first-class Army Reserve on the 1st of January was 11,328, and of these 324 men were absent from the quarterly payments in January; but of these only 50 were cases of re-enlistment in the Army. In 1877 the number of desertions from the Regular Army was 5,058, which was a percentage of 2·7 to the average strength. In the same year there rejoined from desertion 2,437, which was an average of 1·3 to the average strength, leaving a net number lost by desertion, 2,621. In regard to the crucial test suggested by the noble Lord, in order to ascertain with greater accuracy desertions from all branches of Her Majesty's Forces, there were 70 sub-districts, each of which was under the care of a staff officer; and in each sub-district the average number of places at which the officers had to pay their men was about 20. As the men had to be paid at those places on consecutive days, it would be impossible to carry out the view of the noble Lord—namely, of having a simultaneous pay-day.

LORD ABINGER said, he should have been glad if some suggestions had been offered for the prevention of desertion. There could be no doubt that a method could be discovered, and to the military mind that method was simple. What we really ought to do was to revert to the old practice of marking men for desertion. It would prevent the crime of re-enlistment. He did not think there would be any objection on the part of the officers to being marked as well as the men. So far as he was concerned, he had no objection to it. He had the honour to wear Her Majesty's decoration on his breast, and he should have no objection to carry her name on his shoulder. The perpetual courts martial that were being held tended to degrade and lower the Service—some men deserted eight or 10 times. He would suggest that a provision might be introduced into the Mutiny Act making desertion and other military crimes punishable by extended service and sending the men on foreign service. Why not have battalions formed of deserters, and those battalions sent to India?

THE DUKE OF CAMBRIDGE said, he did not see any necessity for altering the Mutiny Act in regard to this question of desertion. He certainly did not like the idea of "a condemned corps," or of a degrading punishment for what was not an offence against the civil law. He would rather scatter men who had deserted among various regiments and send them where the services of those regiments were required—for he believed that if they were to distribute these men among the various regiments who were engaged on active service, there was a fair chance of their turning out good soldiers. He desired to point out to their Lordships that the statistics of desertion, when unexplained, were calculated to give a false and exaggerated idea of the number of actual deserters. This arose from the fact that one man sometimes deserted over and over again, and re-entered the Service as often, now entering one regiment and at another time joining another; so that when, say, 200 desertions were put down in the statistics, the reader might imagine that the reference was to 200 different deserters; whereas an analysis would show that, perhaps, eight or nine of those desertions had been by one individual. As to marking, he never could understand the severity of that punishment—it was unfortunate that the term "branding" had ever been applied to that process—it was an unfortunate word to use, and had a very disagreeable and deterring sound. He thought that instead of reverting to what was known as "branding," there might be light tattooing. Many of their friends got themselves tattood through fancy; and his noble Friend (Lord Abinger) said that the officers would not object to a mark. All that was wanted was some indication for the medical man examining recruits by which he might know that fact when inspecting a man who had been in the Service, so that the latter might at once be called to account for again presenting himself. In that way much of the constant desertion and re-enlistment that had been going on would be prevented. The noble Lord (Lord Ellenborough) appeared to be under an erroneous impression as to the present system of enlistment. The object of that system had been to promote and not destroy local connection; but enlistment could not be completely local for this reason—that in some parts of the country young men did not enlist and in others they did in considerable numbers, and our recruiting sergeants could not be debarred from taking men where they could get them. Again, the military authorities did not prevent a man from enlisting in any corps he liked. The only difficulty in the way of selection in that respect was when the regiment which the recruit liked to join was already full.

VISCOUNT CARDWELL said, that after the satisfactory explanation of the illustrious Duke, he would only make two remarks—one, that branding was done away with on the recommendation of a Royal Commission appointed when his Predecessor filled the office of Secretary for War—a Commission presided over by one of their Lordships, whom he had the pleasure now of seeing in the House; and the other, that after what had been said by the noble Lord (Lord Abinger) of the willingness of the officers to submit to their being marked as well as the men it might be well to refer the subject to the Select Committee of the other House, which would sit this Session to consider proposed changes in the Mutiny Act.

CONTAGIOUS DISEASES (ANIMALS) BILL.

SELECT COMMITTEE NOMINATED.

Select Committee on, *nominated:* The Lords following were named of the Committee:

Ld. President.	E. Feversham.
D. Somerset.	V. Cardwell.
M. Salisbury.	L. Dunsany.
M. Ripon.	L. Crofton.
M. Abergavenny.	L. Skelmersdale.
E. Spencer.	L. Emly.
E. Ellesmere.	

The Committee to meet on *Monday* next, at Four o'clock; and to appoint their own Chairman.

THE EARL OF **FEVERSHAM** asked the Lord President of the Council, Whether the Cattle Diseases Bill provides for cases in which cattle diseases may be detected in animals during transit, or on landing, or while exposed in a market; and, if so, in what manner?

THE DUKE OF **RICHMOND AND GORDON**: I am glad my noble Friend has put this Question, because there has been some misapprehension in the public mind on the point to which he refers. The Bill does provide especially for the cases to which he alludes, and also to other cases of a similar kind—that is to say, whenever an animal is found affected with foot-and-mouth disease, or with pleuro-pneumonia, while in transit in a market, fair, sale-yard, place of exhibition, lair, or slaughter-house; or, generally speaking, while being in a place other than a place in the possession of the owner of the animal. The Report of the Select Committee dealt with the question in a general manner, and did not contemplate this class of cases; but such cases forced themselves upon our attention during the preparation of the Bill, and the clause which touches them is the 22nd. That clause enables the Privy Council to make Orders suitable to the different circumstances of the case. I do not want to pledge myself to the details; but I consider that it will be the duty of the Privy Council, before the Act comes into operation, to pass General Orders, under the 22nd clause, excluding all such cases from the operations of the provisions respecting infected places, and making different regulations for them. For example, a cargo of cattle from Ireland is landed at a wharf in Liverpool, and pleuro-pneumonia or foot-and-mouth disease is detected in one animal. It would be manifestly impracticable to treat the whole of the wharf as a strictly infected place for a period of 56 days in one case or 28 days in another. The same observation would apply to an animal in a lair connected with a public market or slaughter-house. The circumstances vary so much that it is almost, if not quite, impossible to deal with all these cases by an Act of Parliament. Authority must be given to the Privy Council to deal with them by General Orders adapted to the necessities of the different cases that may arise.

VICTORIA—THE MINISTERIAL CRISIS.

QUESTION. OBSERVATIONS.

THE EARL OF **KIMBERLEY** asked the Under Secretary of State for the Colonies, Whether he can give the House any information as to the present crisis in the Colony of Victoria, and whether Papers on the subject will be laid on the Table? The noble Earl said, the facts of the case were shortly these—In the spring of last year there was a General Election in the Colony, and the result of the Election was the overthrow, by a large majority, of the existing Ministry of Sir James McCulloch, and the formation of a new Ministry by Mr. Berry. The new Ministry, in accordance with its policy, brought in a Bill for taxing land in the Colony. It was met with considerable opposition in the Council, but ultimately was passed. After that Bill was passed into law there arose a serious conflict between the Council and the Assembly upon another subject—the payment of the Members of the Assembly. There had been for a long time a provision for the payment of the Members of the Assembly—a body which, he believed, was elected by manhood suffrage; while for the body which elected the Council a property qualification was required. The Act which provided for the payment of the Members of the Assembly was continued, he thought, for three years, and on its expiration had been renewed for a second term. It expired last year, just when the change of Ministry took place; and the new Ministry—Mr. Berry's—anticipated that if a new Bill, to continue the payment, were introduced, it would be rejected.

They, therefore, resolved to place the payment as a Vote on the Estimates, instead of providing for it by a Bill. Afterwards, they changed their minds, and sent up a Bill, which was adopted by the Assembly by a great majority, but was rejected by the Council. The Ministry then tacked on to the Appropriation Bill the provision for the payment of Members; and the Council thereupon rejected the whole Appropriation Bill. The Government did not bring forward another Bill, but accepted the situation; and after the Legislature had been prorogued the Government proceeded, in order to avoid any difficulty in which they might be placed, to dismiss a large number of officials, and amongst others the County Court Judges, some of the Judges of the Insolvent Court, and the police magistrates and other officials. That caused a very great outcry in the Colony, as there was a serious apprehension of what might be further done. Before he went into this matter further, he desired to have full information of all that had taken place, and therefore he would not say more now than that these proceedings were of a very unusual character, and, if they were really such as had been stated, it could not be denied that they deserved the attention of their Lordships and the country. Speaking generally, he was adverse to any interference with the internal affairs of such a Colony as Victoria—for he thought it most desirable, on every account, that the local affairs of the Colony should be managed by those who were engaged in legislating for, and administering, their own affairs, and that they should be left to their own sound sense and good feeling in adjusting any differences that might arise between the two Houses of the Legislature. But there was a certain point at which they came into contact with the Imperial Government, and that was in regard to the Governor—he was an Imperial officer; he was the Representative of the Crown, and his acts the Imperial Parliament might fairly criticize. He did not desire to express any opinions upon the conduct of the Governor of Victoria. He had been placed in a position of great difficulty and embarrassment, and great allowances must be made. He was quite prepared to hear that he had taken the most judicious course possible under the circumstances. He had thought it desirable to make these remarks as introductory to the Question of which he had given Notice—namely, Whether the Under Secretary of State for the Colonies can give the House any information as to the present crisis in the Colony of Victoria, and whether Papers on the subject will be laid on the Table?

EARL CADOGAN thought it was not necessary for him to follow the noble Earl in the statement of the facts which had occurred in Victoria in consequence of the differences that had arisen between the two Houses of the Legislature, and of the unfortunate deadlock that had followed those differences. The Papers relating to the matter had been laid on the Tables of both Houses the previous night, and he expected they would be in the hands of their Lordships on Tuesday, or, at furthest, on Wednesday. They would exhibit the policy of the Government throughout the course of those events, and they would also show that exaggerated statements had been made as regarded the dismissal of magistrates and other officers, and the anarchy and disorder which had been thereby produced. The latest despatch received from the Colony by Her Majesty's Government would also be printed at the same time, and it would show that ample provision had been made in the Colony for the administration of justice, and that compensation according to law would be provided for those whose services should be dispensed with. The Governor had also declared that even if his Ministers should so advise him—which there was every reason to believe they would not do—he certainly would not sanction any interference with the banks, or the currency, or the commercial interests of the country. Two telegrams had appeared in the newspapers—one some time ago, and the other that day—in which it was stated that the differences had been brought to an end by a compromise on the part of both Houses. Her Majesty's Government had no official confirmation of that. When the first of those telegrams appeared—he believed on the 11th instant—his right hon. Friend the Secretary for the Colonies telegraphed to the Governor for a confirmation of that telegram; but hitherto no answer had been received. They had reason to believe that there was some fault in telegraphic connection—which, he heard, was not an unusual occurrence. He would take the earliest opportunity of communicating to their Lordships any information on the subject which might be received at the Colonial Office; but, in existing circumstances, he thought their Lordships would forgive him for not going into the previous history or present state of those affairs, or entering into further details on the subject.

The Earl of CARNARVON said, that no one could doubt that an important question had been raised by what had occurred in the Colony; and though before long it might be the duty of the House to discuss the question, he concurred with his noble Friend the Under Secretary for the Colonies that at the present moment, when all the information was not before them, it was well to refrain from going into particulars. The telegram which had appeared that day was one which he was at some loss to understand; but his impression on the whole was that a friendly compromise had been arrived at by which the Council would pass a Bill for the payment of Members, and the Assembly would consent to strike out from the Appropriation Act the provision to which objection had been taken. The statement in the telegram about the signing of warrants for the payment of Members, and as to that proceeding being based on the 45th section of the Constitution, was one not very easy to understand with the information now available. The payment of unappropriated moneys called up recollections of the controversy in Sir Charles Darling's time; but the telegram was an ambiguous one. He agreed with his noble Friend opposite (the Earl of Kimberley) that it was not desirable that this country should show any readiness to interfere in] the local politics of a Colony which had a system of self-government granted by this country, and accepted by the Colony with all its obligations as well as its privileges; but, on the other hand, it must be remembered that the Governor was accountable not merely to the Colony, but to the Crown. Sometimes the Governor of such a Colony had to consider—to borrow a term from theology—questions of political casuistry. There was no Colonial Governor who had had longer experience than Sir George Bowen, and he hoped that the Correspondence would show that in this case the Governor had borne steadily in mind his duty to the Empire and his obligations under the system of local government which the Imperial Parliament had established for the Colony.

Earl CADOGAN remarked that the telegram had been as puzzling to the Colonial Office as it appeared to have been to his noble Friend, and they must await official information to explain some of the allegations contained in it.

House adjourned at a quarter past Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 15th March, 1878.

MINUTES.]—Supply—*considered in Committee* —Navy Estimates.

Public Bills — *Second Reading* — Libel Law Amendment [81], *debate adjourned;* Dental Practitioners * [96]; Election of Aldermen (Cumulative Vote) * [71], *debate adjourned.*

Second Reading—Referred to Select Committee— County Courts Jurisdiction (No. 2) [102]; County Courts Procedure * [125]; County Courts Jurisdiction * [100].

Committee — Report — Bills of Sale * [90-129]; Blind and Deaf-Mute Children (Education) * [72-130].

QUESTIONS.

THE EASTERN QUESTION—TREATIES OF LONDON AND PARIS, 1841, 1856, AND 1871—THE BRITISH FLEET.

NOTICE.

Mr. WATKIN WILLIAMS gave Notice that on Monday he would ask Mr. Chancellor of the Exchequer, Whether, having regard to the stipulations of the Treaties of London of 1841, of Paris 1856, and of London 1871, relating to the Straits of the Dardanelles, in these words:—

> Treaty of London, 1841, renewed by Treaty of Paris, 1856.—" The Sultan, on the one part, declares that he is firmly resolved to maintain in

future the principle invariably established as the ancient rule of his Empire, and in virtue of which it has at all times been prohibited for ships of war of Foreign Powers to enter the Straits of the Dardanelles and of the Bosphorus, and that so long as the Porte is at peace His Highness will admit no foreign ship of war in the said Straits. And their Majesties the Queen, &c., on the other part, engage to respect the determination of the Sultan, and to conform themselves to the principles above declared."

Treaty of London, 1871.—" The principle of closing the Straits is maintained, with power to the Sultan to open the Straits in time of peace to the vessels of war of friendly and allied Powers, in case the Sublime Porte should judge it necessary in order to secure the execution of the stipulations of the Treaty of Paris 1856 ; "

the continued presence of the British Fleet, under existing circumstances, in the neighbourhood of Constantinople is not at variance with the Treaties; or, whether anything has taken place that prevents such presence constituting an infraction of the Treaties?

NEW ZEALAND—CROWN REDRESS (No. 2) ACT.—QUESTION.

MR. COURTNEY (for Mr. E. JENKINS) asked the Secretary of State for the Colonies, Whether an Act has been passed by the New Zealand Legislature called the "Crown Redress (No. 2) Act," and whether it has been reserved for Her Majesty's approval; whether it is a provision of this Act that persons having claims against the New Zealand Government shall be deprived of any remedy against that Government for any claim arising after the passing of the Act

"unless the Petition setting forth the relief sought shall be filed within twelve months after the claim or demand has arisen ;"

and, whether any remonstrance has been or will be sent to the New Zealand Government on the subject?

SIR MICHAEL HICKS-BEACH: Sir, an Act, called the "Crown Redress Act," has been passed in New Zealand, and was not reserved for Her Majesty's approval. The 6th section enacts that no person shall be entitled to prosecute any claims under the Act unless the Petition setting forth the relief sought shall be filed within 12 months after the claim or demand has arisen. An objection to the Act was received subsequent to its passing, which has been communicated to the Governor of New Zealand.

Mr. Watkin Williams

LAW AND JUSTICE (IRELAND)—SIR JOHN ENNIS.—QUESTION.

MR. SULLIVAN asked the Chief Secretary for Ireland, If his attention has been called to a report in the "Dublin Daily Express" of Friday last, of a case tried at the Westmeath Assizes before Lord Chief Justice May, on the 6th instant, in which a letter was produced from the defendant, Sir John Ennis, to the plaintiff, a local tradesman named Gough, reminding him that the county judge who in the first instance would try the case was "his (the defendant's) friend Mr. Elrington," and that "we must show you what chance a tradesman has amongst the gentry," who has a reputation of being fond of law; whether the case was decided in Sir John Ennis's favour by the county chairman thus referred to by him, but that decision reversed on appeal before Lord Chief Justice May; and, whether Sir John Ennis is a justice of the peace for Westmeath and King's Counties, and a justice of the peace and a deputy lieutenant for Dublin?

MR. J. LOWTHER: Sir, my attention was called to this matter by the Notice given by the hon. and learned Gentleman, and I at once communicated with the Lord Chief Justice and Mr. Elrington. From the information I have since received, it appears that additional evidence—including the letter from Sir John Ennis referred to in the hon. and learned Gentleman's Question —was produced upon the appeal which was not forthcoming at the first trial, and the different results which followed are apparently attributable to that. In justice to Mr. Elrington, who is a valuable public servant, I must ask the indulgence of the House to allow me to read a short extract from his letter to myself, in which he says—

"I trust I may be permitted to state, in conclusion, that I have not the honour of knowing Sir John Ennis, even by appearance; that I have never seen him to my knowledge, and that I have never had any communication with him in any form whatever."

I have also received a communication made on behalf of Sir John Ennis entirely confirming this statement of Mr. Elrington. There is undoubtedly an inconsistency between these statements and a portion of Sir John Ennis's original letter quoted by the hon. and learned Gentleman, which I can only account for by the fact that Sir John Ennis is a gentleman of advanced age and failing health. Although he is, I understand, prevented by these infirmities from taking any further active part in public matters, Sir John Ennis still holds the various positions referred to in the last paragraph of the Question; in addition to which he has served the office of Sheriff for two counties, and, also, as many hon. Gentlemen opposite, among whom he sat, may remember, occupied for some years a seat in this House.

MALTA—TAXATION AND FINANCES—MR. ROWSELL'S REPORT.

QUESTIONS.

SIR **GEORGE BOWYER** asked the Secretary of State for the Colonies, When the Report of Mr. Rowsell on the Taxation and Finances of Malta will be laid upon the Table; and, when the Report of the Commission regarding the Maltese Nobility will be laid upon the Table?

MR. **JAMES** also asked the Secretary of State for the Colonies, Whether there is any truth in the statement made in the "Daily News" of Thursday, March 14th, that the contents of Mr. Rowsell's Report have been made known in Malta, and that, in consequence, an organized attempt to prevent the abolition of the Food Taxes has been set on foot, with the cognizance of the Government officials?

SIR **MICHAEL HICKS-BEACH**: Sir, Mr. Rowsell's Report on the taxation and finances of Malta will be laid on the Table as soon as any decision upon it has been arrived at; and, as I hope to be able to deal with it in a few days from this time, I trust its production will not long be delayed. The Report of the Commission regarding the Maltese nobility is now in the printer's hands; but I find that Lord Carnarvon asked for a supplementary Report on the subject, which has not yet been received. When it arrives, and has been considered, both Reports will be presented together. With respect to the Question of the hon. Gentleman the Member for Gateshead (Mr. James), I have no confirmation of the statement referred to, and I have heard nothing of any organized attempt to prevent the abolition of the Food Taxes in Malta, with the cognizance of Government officials. So far as I am aware, Mr. Rowsell's Report was only privately communicated to two gentlemen, whose position in the island precludes any idea that they could have published a confidential document. I need hardly say that it would be quite contrary to my wish that any such matters should be published elsewhere without being at the same time communicated to Parliament. I will make inquiry on the point; but if the hon. Member's object be the early publication of this Report, my reply to the hon. and learned Member for Wexford will show that this will be attained without further action.

ARMY—THE VETERINARY DEPARTMENT.—QUESTION.

GENERAL **SHUTE** asked the Secretary of State for War, Whether he contemplates issuing a new Warrant with reference to the Veterinary Department; and, if so, when?

MR. **GATHORNE HARDY**, in reply, said, that a new Warrant with reference to the Veterinary Department had been prepared, and in a very few days would be submitted to the Treasury for confirmation.

MERCANTILE MARINE—EDDYSTONE LIGHTHOUSE—ESTABLISHMENT OF A SIGNALLING STATION ON THE EDDYSTONE ROCKS.—QUESTION.

MR. **SAMPSON LLOYD** asked the President of the Board of Trade, Whether, in connection with the erection of a new lighthouse on the Eddystone reef of rocks, he can hold out any hopes of the erection of a signal station there, connected with the mainland by a submarine cable?

SIR **CHARLES ADDERLEY**: Sir, I can hold out no hopes of the erection by the Trinity House on the Eddystone rock of a station for signalling the names and destination of passing ships, as the establishment of such a station is not within the province of the general lighthouse authorities, is incompatible with the duties of the lightkeepers, and cannot be provided out of the funds over which the Board of Trade have control. There are already two efficient signal stations in this vicinity—one at Prawle Point, near the Start, and another at the Lizard—both under the management of private individuals.

SCOTLAND—DEFENCES OF THE FIRTH OF FORTH.—QUESTION.

Mr. M'LAREN asked the Secretary of State for War, Whether he intends to construct the defences of the Firth of Forth, for which plans were formerly prepared and the necessary land purchased by Her Majesty's Government, or some equally effective plan of defence, without further delay?

Mr. GATHORNE HARDY: Sir, the question of the defence of the Firth of Forth has been very long before the public, and an engagement was made so long ago as 1859 by a Predecessor of mine in the War Office, under which certain stipulations were called for on the part of the city of Edinburgh and the county of Fife. The former of these have been fulfilled, but the latter have not hitherto been so. I have carefully gone into the matter, and it seems to me that the time has come when steps should be taken to carry the engagement into effect. I purpose, therefore, immediately to institute proceedings with that view.

Mr. M'LAREN said, that after the statement by the right hon. Gentleman, he would withdraw the Notice he had given of his intention to bring the matter before the House.

CONVICT PRISON DISCIPLINE—THE COMMISSION.—QUESTION.

Mr. O'SHAUGHNESSY asked the Secretary of State for the Home Department, If, having regard to the fact that the Commission of Inquiry into Convict Prison Discipline as originally constituted contained an Irish Member who has retired from it, he will consider the advisability of appointing to it some other Irish Member?

Mr. ASSHETON CROSS: Sir, I should have been glad to have done so at an earlier period; but I understand that the Commission have been extremely active in their labours since their appointment, and have visited a great many prisons. I do not, therefore, think it would be desirable now to add to their number.

PARLIAMENT—PUBLIC BUSINESS—AMENDMENTS ON SUPPLY.

QUESTION.

Mr. HIBBERT asked Mr. Chancellor of the Exchequer, Whether he has had under his consideration the increased facilities which would be afforded for the examination of the Military and Naval Policy of the Government if the Secretary of State for War and the First Lord of the Admiralty respectively had the opportunity secured to them on the first day of taking the Army and Navy Estimates, of explaining their policy to the House before any Amendments on going into Supply were allowed to be moved?

The CHANCELLOR of the EXCHEQUER: Sir, I have no doubt that it would be an advantage to the public service, and conduce to the convenience of the House generally, if some arrangement should be made by which this object would be attained. The House is aware that a Select Committee is sitting upstairs on the question of Public Business, and this will be an appropriate matter for them to consider.

THE EASTERN QUESTION—THE CONGRESS—GREECE.—QUESTION.

Mr. HANBURY wished to ask a Question of the Chancellor of the Exchequer, of which he had given him private Notice; but if his right hon. Friend preferred it, he would ask the Question on Monday. The Question was, Whether it is true, as stated in the papers of this evening, that Russia has declined to accept the proposal of England to admit Greece to the Congress?

The CHANCELLOR of the EXCHEQUER: Sir, I would prefer that my hon. Friend should give Notice of his Question for Monday.

VICTORIA—THE MINISTERIAL CRISIS.

QUESTION.

Mr. A. MILLS asked the Secretary of State for the Colonies, Whether Her Majesty's Government have received any information from Sir George Bowen in reference to the crisis in the colony of Victoria?

Sir MICHAEL HICKS-BEACH: Sir, my hon. Friend may have noticed a telegram from Sydney which appeared in the London newspapers a few days ago to the effect that the difficulties which have unhappily occurred in Victoria had been amicably arranged, and which was confirmed by a telegram from Melbourne last night. When my attention was called to the first telegram, I at once telegraphed to Sir George Bowen, the Governor of Victoria, to inquire if it was correct, but have not yet received any reply. I may add that the Papers on this subject, which were moved for by the right hon. Member for Pontefract (Mr. Childers) will, I hope, be in the hands of hon. Members by Tuesday next. I have delayed them for a short time in order to include in them a despatch received two or three days ago from Sir George Bowen on the subject of the dismissal of certain officials in the public service. I think it will appear from this despatch that some exaggerated statements have been made on this subject, and that there is no reason to apprehend that so able and experienced a Colonial Governor as Sir George Bowen will sanction, even should his Ministers advise it, such interference as seems in some quarters to be dreaded with the currency, or the banks, or any action of an illegal or unconstitutional character.

PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTION.

In reply to Mr. RYLANDS,

THE CHANCELLOR OF THE EXCHEQUER said: If we are able to proceed with the Navy Estimates to-night, we may reckon upon their occupying the whole evening, and there will be no attempt to bring on the Supplementary Estimates. In that case, we propose to take the Supplementary Estimates on Monday. I wish to take this opportunity of repeating the appeal I made last night to hon. Members having Notices on the Paper to-night on going into Committee of Supply. It is really very important that the First Lord of the Admiralty should be allowed this evening to go into Committee, make his statement, and, at all events, obtain the Vote for the numbers of men. I observe that the first Notice which is on the Paper is a very important one, given by my hon. Friend the Member for Wigtonshire, with regard to the continuance or otherwise of the Board of Education in Scotland, to which two other Members have given Notice of Amendments. Now, that is a most important subject, and one which cannot be treated very briefly. If it is entered upon to-night there can be no doubt that the debate must be of some length, and I should be most unwilling that it should be unnecessarily or unduly curtailed. At the same time, if my hon. Friend would take into consideration the position of Public Business and be willing to abstain from making his Motion on this occasion, he would be doing a real service; and I will undertake on the part of the Government to do my very best to obtain, within reasonable time, a position which should enable him to bring forward the subject and have full attention given to it. The subject is one which engages the attention of the Government and on which we have proposals to make; but I entirely recognize my hon. Friend's right to bring the matter forward. It is only in consequence of the extreme importance of going on with the Business on the Paper that I venture to make this appeal to him. Of course, I do so only conditionally on the understanding that other hon. Gentlemen who have Notices on the Paper after him will also give way. There are 10 or 12 others in going into Supply; but I do not think any other Gentleman would desire to proceed in case my hon. Friend gives way in regard to the Scotch question. I only make that request to him conditional on that understanding. ["Hear, hear!"]

MR. MARK STEWART: Sir, the strong appeal which my right hon. Friend has just made to me is reciprocated on both sides of the House, judging by the cheers that greeted it. I stand in a difficult position, because the interest that is taken in the Northern part of this country is very great in regard to the Scotch Education Board. A very strong Memorial has just been presented to the Premier on this subject—perhaps the strongest ever presented from Scotland on any subject. But, with this discussion coming on now, when the whole country is in a most excited condition, and when we are possibly on the brink of war—it is important that the Committee should not be limited by time. I am, therefore, quite ready to do as my right hon. Friend has suggested, provided no other hon. Member who has a

Motion on the Paper will go on with it, and provided that the Government will give me a first place between this and Whitsuntide in order to bring forward this Question.

THE EASTERN QUESTION—THE TREATY BETWEEN RUSSIA AND TURKEY—COMPLETE REFERENCE TO THE CONGRESS.—QUESTION.

Sir GEORGE CAMPBELL wished to put a Question to Mr. Chancellor of the Exchequer, of which he had given him private Notice—Whether he was correctly reported in "The Times" to-day as having stated yesterday that England will require the whole articles between Russia and Turkey to be laid before the Congress?

Mr. SPEAKER: A Question of that character is not in Order, referring as it does to what occurred in a past debate of this Session.

COUNTY GOVERNMENT BILL.

QUESTION.

The Marquess of HARTINGTON: The Chancellor of the Exchequer did not answer part of the Question put to him by the hon. Member for Warrington. If Progress is made with the Supplementary Estimates on Monday, is it the intention of the Government to proceed with the adjourned debate on the County Government Bill?

The CHANCELLOR of the EXCHEQUER: Sir, it will be impossible to proceed with it on Monday. We propose then to take the Civil Service Supplementary Estimates.

THE EASTERN QUESTION—THE CONGRESS.—QUESTION.

Sir GEORGE CAMPBELL: Perhaps I may ask the right hon. Gentleman the Chancellor of the Exchequer, Whether it is the intention of Her Majesty's Government to require that the terms of the Treaty of Peace between Russia and Turkey should be brought to the knowledge of the Congress, with the view of enabling the Congress to decide upon those terms of peace; or, whether it is the intention of Her Majesty's Government to require that they should be brought before the Congress with the view of enabling the Congress to judge whether they affect the general interests of Europe and of England or not?

The CHANCELLOR of the EXCHEQUER: Sir, what I intended to say upon this point is this—We shall require that every Article in the Treaty between Russia and Turkey shall be placed before the Congress in such a manner that it may be considered what Articles require the acceptance or concurrence of the several Powers and what Articles do not.

ORDERS OF THE DAY.

SUPPLY—NAVY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

DEPARTMENTAL STATEMENT.

Mr. W. H. SMITH: The Estimates to which I have now the honour to ask the attention of the Committee are Estimates framed, as the Committee will see, upon what I may term a normal condition of affairs. It became my duty to consider early in the year what character of supplies I should ask from the House for the conduct of the Department over which I have the honour to preside; and I came to the conclusion—which I am afraid may not be entirely shared by some of my hon. Friends on this side of the House—that it was not my duty at a time of peace, which I hope will continue, to ask the House of Commons for any considerable increase in the provision for the Navy. Therefore, the Estimates which are now submitted are of a very unambitious character. I have not thought that I should venture to change in any very considerable degree the policy which I found in existence, and which the experience and ability of my Predecessor left for my consideration.

It may be for the convenience of the Committee that I should now proceed, Vote by Vote, to ask attention to what is now proposed to be demanded of the country. The Committee will see that in the Vote for Men and Wages there is no sensible increase. The number of men provided for is precisely the same as that provided for in former years; and I may take the opportunity of saying that after careful investigation and inquiry, I am satisfied that the supply of seamen is sufficient to ensure the ample protection of the shores of this country and to preserve the honour and interests of the nation. We have men enough in the Coastguard and in the Marines on shore to man every ship which it would be possible for us to put in the Fleet at the present moment; and we have also the Royal Naval Reserve, which is available for us to fall back upon. It may be interesting to the Committee to know what the Naval Reserves consist of. There are in the first Reserve, of Coastguard men entered from the Fleet, 332 officers, of whom 226 are chief officers, fit for quarter-deck duty, and 3,968 seamen, mostly qualified for petty officers' ratings. As hon. Gentlemen know, the flower of the Service is to be found in the Coastguard; consisting, as it does, of men of high character, experience, and training. All are borne on ships' books, and are liable to serve in the Fleet, and they receive the naval pay of their ratings. They are bound by written contracts to serve in the Fleet, and if called upon, their places can be supplied by Pensioners who are not fit for service at sea. The second Reserve—the Royal Naval Reserve—consists of two classes. In the first there are 12,135 first-class men, able seamen of the Mercantile Marine. These men have received £10 4*s.* a-year, and are annually called up and drilled. There are 5,479 men of the second class, principally drawn from the fishing population, who receive £7 17*s.* each annually; they serve under an engagement for five years, and can be called out by Royal Proclamation to serve with the Fleet in any part of the globe. I have thought it my duty to inquire how soon these men could be made available, and I find that they could certainly be brought together as soon as it would be possible to provide ships to put them in. It will be seen that, so far as the *personnel* of the Fleet is concerned, there is an ample supply of men and officers to meet any emergency which is at all likely to occur. There is still a third Reserve—the Seamen Pensioners Reserve—consisting of 850 men, who are enrolled to keep up their efficiency in drill. They receive the naval pay of their ratings for 14 days' drill annually, become entitled to the Greenwich Hospital age pension at 50 instead of 55 years of age, and cost about £1,000. The annual drill keeps up their efficiency to whatever it may have been, and their efficiency is from time to time tested by the visits of a competent Inspector. There are also the Royal Navy Artillery Volunteers, enrolled for the defence of the coast, and consisting of 1,025 men, who come from all classes, and cost the country £1,500. There is a small increase in the Vote for Wages, arising, as is known to hon. Members acquainted with the details of the Service, from the fact that there is a larger number of ships than usual in commission at the present time; and it has been found necessary, therefore, to give full-pay instead of half-pay to the officers, who are employed in greater numbers.

Now, there is one feature in connection with the Fleet about which I may say a passing word. I refer to the addition to the Fleet during the last two years, for training purposes, of training ships. The additions are *Seaflower* and *Eurydice*, but the other brigs have been employed for training purposes during the winter, which they did not use to be. We have received the most satisfactory reports from the officers commanding these vessels, and from the commander of the small frigate, *Eurydice*. As hon. and gallant Gentlemen are aware, these vessels go out for cruises of six months' duration, which tend to bring young and able seamen into a condition of discipline and efficiency, without which they would be of very little use on board men-of-war. As is known, there is difficulty in the present day in keeping up the efficiency of seamen as sailors. I, for one, do not feel prepared to recommend the addition to vessels of masts and yards, which would injure their fighting capacity, or to sacrifice to a subsidiary object the main purpose for which they are intended as fighting machines; still, the Committee will agree with me that it is of great importance that the seaman-like qualities of the sailors should be maintained. This is the main object in employing men in a healthy and invigorating service away from the ports and from associations of a deteriorating tendency.

There is nothing to call for special remark in the Vote for Victuals and Clothing. It will be seen that there is a decrease of £32,418 in the Vote, which is £1,146,192 against £1,178,610 last year. This reduction is not due to any diminution in the quantities that have been asked for or required; but it is due to the fact that prices on the whole have been more favourable and the Department has obtained supplies on better terms. I must pay a passing tribute to one officer of the Department concerned in the management of this particular Vote. I think the right hon. Gentleman opposite (Mr. Goschen) will confirm me in the opinion that in the public service there is hardly a more efficient officer than Mr. Rowsell, who has charge of the contract Votes.

In the third Vote—that for the Admiralty Office—there is an addition of £5,000 to provide for what appears to have been a debt long due to some officers of the Admiralty. In 1870 a revision of the Department resulted in an economy to the public service. These revisions were accompanied by a promise, if not an undertaking, of recompense to officers who undertook work which had been done by a large number of men. I believe that a further revision may result in a still further economy, and I hope it may be effected in the course of the Session, although I am not in a position to make any statement to the Committee at present on the subject. If we do not effect any considerable economy in the cost of the establishment, I think we shall accomplish the work in a more satisfactory manner. I must refer to one gentleman who is no longer an officer of the Admiralty —Mr. Vernon Lushington, the late permanent Secretary. It must not be considered that this gentleman, who possesses great ability, and is a man of most excellent qualities, has been dismissed from the Admiralty from any fault of his own. He found himself in a position which did not afford scope for the abilities he possessed; and shortly after I had the honour of being appointed to my present position, he expressed his willingness to retire from the Department, and I was glad to have the opportunity of recommending him to the Lord Chancellor for an appointment which his abilities well qualify him to discharge. He has retired upon a pension; but so long as he retains the office of County Court Judge, the pension is suspended, except as regards £250 a-year, which is compensation for a house he formerly occupied, and which is required by the Admiralty for other purposes. The effect, therefore, of the change has been one which tends to the improvement of the administration of the Admiralty—not by any means through any want of zeal or ability on the part of Mr. Lushington—and great economy in the public service.

As to Vote 4, it requires very few remarks from me. It relates to the Coastguard Service. The Vote is a normal one, and the few remarks made about the Naval Reserves will apply to that Vote.

Vote 5 deals with the scientific branch, and here I have only to remark that there is very little change, and that the change is rather in the direction of reduction than otherwise. We hope that the cost of the observations with regard to the Transit of Venus will be brought in during this financial year. It must be admitted that the expense attending on the Royal Naval College at Greenwich is very considerable; still, we can hardly pay too dearly if we obtain a real scientific knowledge and approved ability and capacity to discharge their duties in the officers appointed to Her Majesty's ships. I believe that the Institution itself is a most efficient one at the present time, and I am engaged with my Colleagues in seeing how far we can render it still more valuable to the younger officers of the Fleet.

Now I come to Vote 6, which is the Vote upon which the House of Commons, I think, generally feels the greatest possible interest. It is the Vote for the Dockyards and Naval Yards at Home and Abroad; and I will, with the permission of the Committee, consider this Vote together with Vote 10, Sections 1 and 2. They are bound up together, and it will be convenient that I should take them together. Vote 6, as I have said, is for Dockyards, and Vote 10 is for Naval Stores, and Building and Repairing Ships by Contract and Machinery. The Votes which we proposed for these last year were, on the whole, £3,590,980. This year we are within £500 of the same sum. I think it may be convenient that I should refer, first of all, to the work which was promised to be done last year. It is always a matter of interest to the Committee to ascertain whether the undertakings which were made by the Government at the beginning of the year were fulfilled at the close. Upon that I must admit that there is to all appearance a considerable failure to complete the amount of work which was promised. In the programme for 1877-8 the shipbuilding work was grouped as follows:—It was intended that in the Royal Dockyards 8,621 tons of iron-clad shipbuilding should be constructed, upon which 3,308 men were to be employed. It was intended that 41 unarmoured ships should be built, or advanced, amounting to 5,619 tons, employing 2,863 men. The total tonnage expected to be built, then, was 14,240. The tonnage actually built as far as we can tell—we have not yet arrived at the end of the financial year; and it is possible, and indeed probable, that the opportunity for increased activity which the Vote of Credit has given us to hasten the completion of some of those ships will alter this somewhat—up to the 31st of March will be 11,538, against the 14,240 provided for in the programme. I may now explain to the Committee how it was that this deficiency arose. It has been principally in the *Inflexible*, the *Ajax*, and the *Agamemnon;* and these ships have been held back on account of the doubt which existed in the public mind with reference to the construction of the first-mentioned ship. The loss in the *Inflexible* is 923 tons, in the *Ajax* 570 tons, and in the *Agamemnon* 1,123 tons, making a total of 2,616 tons, amounting very nearly to the difference between what was proposed and what was accomplished. The further difference is explained by the new *Agamemnon* having been stopped altogether. The work has been further delayed in consequence of the proposition to build torpedo ships requiring further consideration, and some experiments that have been carried on in regard to steel armour plating. These experiments, which promise satisfactory results, have not yet been concluded. The torpedo ram announced by my Predecessor was not put in hand immediately, as it appeared desirable that further consideration should be given to the subject. It is now about to be proceeded with. It is a ship of very novel construction, and it appeared desirable that further consideration should be given to it by the Board of Admiralty. I am glad to say that the actual labour which would have been employed on these ships has been most profitably employed in hastening forward the repairs to the ships now almost completed. These ships are the *Hercules*, the *Monarch*, the *Triumph*, the *Invincible*, the *Penelope*, and the *Prince Albert*, all of which have been considerably advanced, and the men intended to be employed in shipbuilding have been engaged in hastening repairs. The result in 1877-8 from work in Dockyards and by Contract was, that of armoured ships 6,487 tons were built, and of unarmoured ships 9,111 tons, or a total of 15,598 tons. As regards the machinery and indicated horse-power, there is very little indeed to remark; but, if the Committee desire it, I can give full information of the difference, which is comparatively slight, on that point.

I now come to the work proposed to be taken in the coming year. We propose to employ on shipbuilding in the Dockyards 5,960 men, as against 6,171 men last year—211 less. On the repairs of ships and refits, including new boilers of ships, for reliefs, for casual repairs and maintenance of ships in commission, 4,855 men, as against 4,749 last year, showing 106 more in repairs than last year; on yard manufacturers, 2,260 men, as against 2,155 men last year, showing 105 more this year. The result shows there will be, on the whole, more men employed in repairing and refitting, the difference being comparatively small. The number of vessels on which work will be done will be, on the whole, 46; and the shipbuilding involves 13,568 tons, which, compared with 14,240 tons, shows a decrease of over 600 tons. I lay great stress upon the necessity for repairing existing ships. I look upon it as the worst possible policy to allow an existing ship to become useless for want of repairs to boilers, machinery, or hull, and it will be my duty, so long as I am at the Admiralty, to see that every ship which is worth repairing—and I shall not have any ship repaired that is not worth repairing—shall be at once repaired.

But to revert to my story—which I fear I am making very long. There will be 11 armour-plated ships, amounting to 9,831 tons weight of hull, either taken in hand or advanced; two iron corvettes, 193 tons weight of hull; seven steel and iron corvettes, 544 tons; two composite corvettes, 88 tons; eight composite sloops, 1,706 tons; two composite gunboats, seven iron gunboats, two armed despatch vessels, two torpedo mooring steamers, two sailing brigs, and one mooring lighter, or 46 vessels, with a total tonnage of 13,568 tons. The vessels which will be advanced to completion are the *Dreadnought*, the *Inflexible*, the *Nelson*, and the *Northampton*. These four first-class iron-clads we hope to complete within the coming financial year. The *Ajax* and the *Agamemnon* will be considerably advanced. Besides the torpedo ram, one new iron-clad will be laid down at Chatham, two new iron-clads at Portsmouth, and one at Pembroke.

Now, upon this question of iron-clads I wish to say a word in reference to observations which fell from hon. Members on both sides of the House in the course of the recent discussion. I was pressed to consider, and with very great reason, whether it was not desirable to have a greater number of smaller ships in Her Majesty's Service. Well, I am quite prepared to admit that small iron-clads are very much indeed to be desired; and if I were to express my own preference and inclination, certainly—before I became First Lord of the Admiralty—I should say that it was most strongly developed in favour of small iron-clads with a light draft of water. But, as was remarked by one hon. Member yesterday, there are very serious difficulties in the way of providing small iron-clads which will be thoroughly efficient in these days of heavy armour and heavy guns. If you have an efficient ship in the point of view of the Admiralty, you must have a ship which will be capable of doing very effective service with the most powerful adversary she is likely to encounter; and in these days of 25, 35, and 80-ton guns, it is a problem of very serious importance —one which requires to be very carefully weighed and considered—what should be the character of the ship to be adopted, and what the weight of the gun; and when you have decided that question, you must then decide what should be the armour to protect the gun. I think hon. Gentlemen will see that a ship with a heavy gun must be protected by a very considerable weight of armour. It would be absurd to endeavour to protect an 81-ton gun with armour which could be penetrated by a 25-ton gun shot; and it would be wrong to place a ship in a position in which she could not by her speed save herself from overwhelming odds. All these things must be taken into account before the character of the ship to be adopted can be decided upon. I can only say that the House will be informed before a decision is finally come to as to the particular type of iron-clad we may propose to build. We have not arrived at any decision upon the subject at the present moment, although our attention has been invited to designs which have great merit, and at least two of them are of the smaller rather than of the larger class. There is one class of ship which is now in course of construction, and with which we intend further to proceed—I allude to that known as the *Comus* class. It is a swift corvette, with boilers and machinery placed well under water, and over them a shot-proof deck. We believe that a vessel of that kind, which is not at all likely to receive a shot in a vital part, will prove to be most useful as a cruising vessel in places where it is not desirable, or perhaps possible, to provide iron-clad ships. We are also proceeding with some gunboats intended for China, which will have greater speed than those we now possess. I have said that the programme for 1878-9 shows a reduction in the number of ships to be built and a reduction in the number of men to build them; and perhaps it would be interesting to the Committee to know the provision we propose to make for the repairs of ships during the coming financial year. Acting upon the policy I have ventured to recommend to the Committee, we propose to repair this year the *Sultan*, the *Repulse*, the *Swiftsure*, and the *Northumberland*. The *Monarch* and the *Penelope* were intended to be included in the year's work; but, owing to the exertions we have made during the last few weeks, their repair will be completed during this financial year. The four I have already named, I hope will be completed in the course of the coming financial year. There will also be seven third-class cruisers, four sloops, nine gun-vessels, and two store-ships taken in hand, either for reliefs or for the First Class Reserve. The *Lord Clyde* will be substituted for the *Excellent*. Hon. Gentlemen acquainted with Portsmouth will know that the *Excellent* has not been considered altogether satisfactory for the last few years, and it has been decided not to use her as a gunnery ship for the future. The shipbuilding work to be done by contract during the financial year 1878-9 is as follows:—We propose to complete the *Orion*, one of the Turkish vessels purchased under the Vote of Credit. The amount of work to be done on that ship is 1,717 tons. Thus there will be six corvettes, steel and iron, two composite gun-vessels, 28 torpedo boats, four iron barges, and nine floating stages—in all 4,699 tons—to which must be added the torpedo flotilla, including three new vessels of the *Vesuvius* class. There was no provision in the Estimates of last year for torpedo boats; but I thought it my duty to make arrangements, in which my Colleagues most cordially concurred, for a supply of those vessels. They are now in course of construction, and we shall, I hope, very soon begin to receive them. They will be completed and delivered during the course of the ensuing summer. It must be borne in mind that we had at all times available a very large amount of quick steam-boats, which, in case of need, could be used for the purposes of torpedo warfare, and there is not the same necessity in England for the construction of torpedo boats as exists in other countries, though, no doubt, it is more satisfactory to have a number of highly-fitted torpedo boats. I do not undervalue the torpedo boat in the least. It is a vessel which we ought always to have in hand, and we shall, as I have said, possess a supply of them in the course of a few months. [Mr. GOSCHEN: Have they been commenced?] Twenty-four of them have been in course of construction for some months. [Mr. GOSCHEN: Out of the Vote of Credit?] With respect to the Vote of Credit and its relation to this Vote, it would be more convenient, I think, that I should refrain from stating what has been done or will be done under that Vote. Indeed, it is impossible to state the circumstances and conditions of its application, and the time has not yet arrived at which it would be convenient to do so. But hon. Gentlemen are aware that we had a larger number of men employed at the Dockyards than were provided for by the Estimates, and that there was a provision in the Vote of Credit itself for the employment of those men. The Estimates now under consideration provides for the normal establishment at the Dockyards; and on deliberate consideration I thought it best—and my Colleagues entirely concurred with me—not to include in the Estimates I am now about to submit to the House any provision for the employment of a larger number of mechanics or labourers than is regarded as the normal establishment of the Dockyards. It may be necessary that the men who have been engaged should be continued to be employed during some part of the next financial year; and if that should be so, it will be my duty to ask the House for a further supply for that purpose; and I am satisfied that if the whole number be continued for six months, even with over-hour work for the new men and the establishment, the additional amount required will not exceed £160,000. But I hope it will not be necessary to ask for that provision. It is, however, only right I should state to the Committee that it is possible some provision of the kind may become necessary. I am sure they will give me credit for saying rather less than more in circumstances like the present. I omitted to give an exact account of the liabilities. Hon. Gentlemen are aware that there is a statement showing the liabilities for the year 1878-9 that have been left over from the Estimates for the year 1877-8. The contracts entered into or contemplated in the year 1877-8 throw a burden on the year 1878-9. The amount of liabilities, as estimated last year for steam machinery under Item A, Vote 10, Section 2, was £183,650, and the actual liability which we take over on the 1st of April next is £216,509, being an excess of £32,859. The excess arises in the following way. In the first place, a liability of £20,000 has been incurred to complete the engines of the *Orion*, which was purchased under Vote of Credit in 1877-8, and there has been a further liability of £60,000 for the engines of 22 torpedo boats, ordered in excess of last year's programme. On the other hand, engines were not ordered for a torpedo ram as contemplated, upon which £50,000 stood over. Thus an excess of £30,000 is explained, and the small difference remaining is due to adjustments of the amounts finally paid in 1876-7, and to variations between estimated and actual contract price of machinery. The liabilities in regard to ships building by contract are as follow:—The sum which it was stated would be required in future years to complete contracts was £148,457; whereas, in the Estimates for 1878-9, the amount brought forward under this item is £324,279, being an excess of £175,822. That excess arises as follows:—The balance which will have to be paid for work not yet completed on the *Orion* amounts, in round figures, to £125,000. To complete the 22 torpedo boats £22,000 will be required, and the strike in the Clyde caused a loss on the six corvettes of the *Comus* class of about £20,000. Thus £167,000 of the excess is accounted for, and the purchase of the *Daisy*, the *Sparrowhawk*, and the *Psyche*, with other small payments and adjustments, make up the difference. I think I have said all that the House will expect me to say now with regard to our shipbuilding progress. I repeat that I think it is the first duty of the Department to maintain our existing ships in the highest possible state of efficiency, and to take care to add to the Navy vessels as efficient as possible for the particular work they have to do. It must not be supposed, however, that we have in this respect a light and easy task, because the duties of the British Navy are very varied, and our ships of war are distributed over so many parts of the globe and exposed to so many contingencies. For example, a ship which is thoroughly fit for service in the Mediterranean might be altogether unfitted for the Pacific, and a ship which is of the greatest possible advantage in the Atlantic would not be useful in the China Seas. We require vessels which differ widely from one another, but all of which have some use and some purpose for the work they are intended to discharge. I do not mean to say that we have the very best ships which could now be built if we were able by some happy force to improvise, as it were by magic, the vessels we require. But I do say that, on the whole, looking to the work our ships have to perform and to the information we possess of the shipbuilding of other countries, I do not think we have any reason to be ashamed of the resources and of the power and of the skill of our Constructive Department. Still, whenever we have an opportunity, we shall be glad to do everything in our power to improve the ships in Her Majesty's Service.

I will now pass over rapidly some of the succeeding Votes. There is really very little to say with respect to many of them. As to the Vote for Works, which is about the same as it was last year, being £539,115, as against £537,715, I need only remark in passing that the extension works at Chatham and Portsmouth are progressing rapidly. In providing dockyard accommodation at these most important ports I do not think the money has been thrown away. The advantage of having vessels secured in basins, as they will be secured at Chatham and Portsmouth, is one which will result in a very considerable saving in the actual cost of maintaining the ships which are in reserve. I think hon. Gentlemen who have seen these works will be prepared to admit that, considering their extent and magnitude, they have certainly not cost very large sums.

I come now to another Vote, which probably excites considerable interest—namely, that relating to the half-pay and the reserve pay of the officers of the Royal Marines. Hon. Members who took an interest in that most gallant and most useful corps urged my Predecessor to take into consideration the claims of the officers. It will be in the knowledge of hon. Members that an Order in Council, based upon the Report of the Committee which sat last year, has been issued, and that it considerably modifies the scheme of promotion and retirement for those officers. Now, I am happy to say that, excepting with regard to one or two individual cases—and there are always individual cases of hardship—I have not seen a single letter of remonstrance, or a single expression of dissatisfaction, at the operation of this Order in Council. It has, I believe, given general satisfaction, which is a most unusual circumstance in the case of an Order of this kind. The additional cost of the scheme this year will be £5,600. The total eventual increase will be £10,000 per annum. The scheme is based generally on that which has been adopted for the Army; but there is a difference in the age at which captains are compelled to retire. Ultimately the compensation to be given will be the same as is received by officers in the Army; but I have thought it right that officers who already had interests in a scheme of retirement pecuniarily better than that which will eventually take effect, should have their rights respected—so that I believe no officer in the Service will be pecuniarily damaged by the course taken by Her Majesty's Government.

Now, Sir, I come to the consideration of a question in which I am afraid I have, through some inadvertence of my own, excited a feeling which I should always regret to excite. The hon. and learned Member for Louth (Mr. Sullivan) put Questions to me in the earlier part of the Session with regard to the appointment of Roman Catholic chaplains to the Royal Navy, and in reply to him I stated what I really felt to be the case—namely, that however much the Admiralty might desire to make provision for the spiritual consolation of officers and seamen who professed the Roman Catholic faith, it was practically impossible to add a second chaplain to any ship in the Navy. I did not intend, however, to express the slightest want of sympathy with the claim which every man who served Her Majesty—every subject of Her Majesty—has to every possible consideration for his religious convictions. The difficulties with regard to this question are actual and real, as naval officers who profess the Roman Catholic faith perfectly well understand. It is impossible to place a Roman Catholic chaplain on a ship in the manner which is contemplated by the hon. and learned Gentleman, and also by many of his Friends, if I may judge from the Amendments on the Paper. In my view, it would be the duty of the Admiralty to endeavour to make provision for the assistance of Roman Catholic clergymen in times of sickness and need, when, as I understand the matter, persons professing that faith attach peculiar importance to the presence of clergymen of their own persuasion. It will be the duty of the Admiralty to endeavour to make such provision by attaching a Roman Catholic clergyman to a Fleet of, say, five or six large ships operating at a distance from its base, and from any port, in order that in case of illness or sudden emergency, or imminent danger, he might be at hand to afford the consolations of religion which might be required. I cannot hold out any expectation of being able to provide an additional chaplain to any one ship; but I will do everything I can to bring within the reach of Roman Catholic sailors the ministrations of their priests. The hon. and learned Member for Louth will, I am sure, admit that the task I have undertaken is a difficult one. I sympathize deeply with the religious convictions of every soldier and sailor in the service of the Queen; but the necessities of the Service must be fulfilled. The life of a sailor is one which does not enable him to claim or to receive the facilities accorded to men who serve on shore; but, as I have said, I will do everything in my power on their behalf.

MR. MITCHELL HENRY: Will the right hon. Gentleman say what he proposes to do in reference to the Fleet now in the Turkish waters?

MR. W. H. SMITH: I think I have indicated as fully as I could the nature of the provision that will be made, and I may add that if there should be a hospital ship it will not be difficult to provide for the accomomdation of a chaplain in that ship. I am not at present able to say how we can provide further for that Fleet; but I will endeavour to make a provision which will be satisfactory to hon. Gentlemen.

I must now apologize to the Committee for the small amount of information which I have given them; but hon. Members must feel that a Minister, within six months of taking office in a Department which involves a large amount of technical knowledge and detail, is not so well able to speak with the confidence and freedom which has distinguished many of his Predecessors. I followed one who did his work gallantly and well, and who left behind him a condition of things which caused little to be desired, looking at the resources he had at his command. The work of Dockyards, and the administration of the Admiralty, has been very often condemned and spoken of in terms of reprobation; but I am bound to say, if you will take the Department itself you will find it is admirably well served; and the same remark applies, as far as my observation goes, to the Dockyards—from the Admiral Superintendent down to the foremen and leading men. It had long been the object of my Predecessors to endeavour to secure a continuity of Superintendents, so that the Captain of the Steam Reserve should become Captain Superintendent of the Dockyard, and then Admiral Superintendent of the Dockyard. That system has worked well, and we have now officers who thoroughly understand their duty, and do it well. That this is so is shown from the fact that those who visit us from foreign shores speak highly of the work done in the Dockyards, and say they are the best examples of dockyard labour possible. I have now to conclude by moving the Vote for 60,000 Men and Boys, Sea and Coast Guard Services, including 14,000 Royal Marines.

Mr. SULLIVAN: I and my Friends who are acting with me are not disposed to move the Amendments which we have on the Paper in consideration of the announcement which has just been made. But it must not by any means be understood that we consider that to be all that we might reasonably ask for; but we are quite disposed to let him try the experiment he suggests, and he will find that he has no need to be at all afraid of the physical inconveniences or any other effects that may follow from considering the religious convictions—I may say the religious rights—of the thousands of Catholic seamen in the Navy. However, we are quite disposed to give the right hon. Gentleman credit for his sincere intention to carry out the intimation he has made, in the first instance as regards the Fleet now in the Sea of Marmora; and I am quite sure he will find—as the War Office found in the Crimean War—that the appointment of religious ministers to care for the religious necessities of the men will not make them less brave soldiers or sailors in any emergency. In withdrawing the Amendments that stand in my name, I wish to express a hope that the right hon. Gentleman will not lose any time in considering the necessity of the appointments being made.

Mr. SAMPSON LLOYD thought the statement of the First Lord of the Admiralty would be admitted by both sides of the House to be very satisfactory. It was generally conceded that for many years past the Navy had not contained so large a number of ships in a high state of efficiency, nor so large a number of sea-going iron-clads fitted to do service in all parts of the world. That those results had been attained, notwithstanding the increased cost of materials and labour and the pressure put upon the Dockyards, at a small extra cost, amounting to £80,000 in the whole, was a subject for congratulation. The details of the statement would be dealt with by many Members of the House who had a practical acquaintance with the Navy, which he could not profess to have; but he wished to draw the right hon. Gentleman's attention to the claims of some of the men employed in the Dockyards. In some cases a little more liberality shown to them would cause but a small addition to the annual Estimates, while it would promote the efficiency of the general work. First of all, there was a small but very useful class of men, the foremen of the Yards. Although they amounted to but 51 in all, yet they superintended the building, fitting out, and completion of every ship in the Royal Dockyards. Some of those ships cost £400,000, and the whole of that money was spent under the superintendence of the foreman of the Yard, who had the task of seeing that the different classes of men did their duty. Their wages had not been raised for a very long time, and even 20 years ago they received relatively larger salaries than now. When it was considered that certain other officials, such as Constructors, had obtained a considerable increase of pay from time to time, and that foremen of the Yards had had no increase of pay for half-a-century, he thought they had some little claim to consideration. Then there was that very important class, the Royal Naval Engineers. Ships of war were now floating masses of machinery, and the safety of each ship, and its efficiency in time of action, depended almost as much upon their skill as upon that of the captain. It was, therefore, right that they should be made satisfied with their condition. He believed they were dissatisfied; and, although not inclined to go into their case at length, he would quote the words of the hon. Member for Pembroke (Mr. E. J. Reed) to prove that they had reason for their discontent. He said—

> "The Royal Naval Engineer is where he was 20 years ago—a snubbed, subordinate, man, with a dozen officers to keep him in his place and look after him."

Their grievances might seem to be, to some extent, sentimental, but they were, nevertheless, real; they complained of not being permitted to join the officers' mess, and of not having proper cabin accommodation. He would ask whether it was worth while to dissatisfy a responsible and important body of men by refusing them such things as the joining the officers' mess and having proper cabin accommodation? Then there were the engine-room artificers, who, besides their dissatisfaction on account of the petty officers' badge, had still more substantial grievances. They joined on the understanding that they were not to wear the badge or stripes; but an order had lately been given for them to wear the badge of a chief petty officer. Was it worth while for a large body of trained workmen, on whom the efficiency of the iron-clads so much depended, to be made discontented by such a matter as that? But the substantial complaint of the engine-room artificers was that, whereas the Committee recommended 50 of them to be promoted to the new grade of chief artificer, and some intimation was given that steps would be taken to carry out the recommendation, yet 22 only had been promoted, and those by a very partial selection. There had not been a single promotion of an engine-room artificer who had served on the Mediterranean or China Stations. The selection had been made by the commanding officer, and there had been a distinct breach of engagement. It was not policy to lose the good will of so useful a class of men as those by refusing what they desired. He ventured, further, to mention the case of the continuous-service men, who complained that their service in the Dockyard was not counted towards their pension. Service in the Navy was awarded a pension, and so was service in the Dockyard. But the men who had served at sea, and then were transferred to the Dockyards, found that their pensions were not granted as for continuous service. Then there were the mechanic writers, who must be skilled workmen before being allowed to obtain their appointments. They had longer hours, but were put in an inferior position to the Admiralty writers, who were clerks without their knowledge. The leading men of shipwrights, whose duty it was to scrape the bottoms of the iron-clad ships—a somewhat dangerous occupation from the poisonous matter collected thereon—would be more satisfied if conceded an increase of pay. He believed a little liberality to the classes he had mentioned would not be thrown away.

MR. SAMUDA was glad to hear from what had been said by the right hon. Gentleman the First Lord of the Admiralty that, before the Shipbuilding Vote was reached, he would explain to the Committee the general character of the new iron-clads that were to be built. He had, however, not noticed in the statement of the right hon. Gentleman any intimation as to the way in which the *Ajax* and *Agamemnon* were to be finished. He should like to know whether it was contemplated to make any change whatever in them, and, if so, what change? With regard to the six steel corvettes, he had not gathered whether they were to be completed in the course of the present year. If he had understood the statement aright, the Navy was still 3,000 and 4,000 tons below what had been contemplated. It was intended last year to build 20,000 tons in the Dockyards and private Yards together, but only about 16,000 tons were built. He understood that it was intended to build about 13,500 tons in the Dockyards in the present year. Taking into account what was intended to be built in private Yards, about 18,000 tons in all were to be built; but the smallest quantity that would prevent the country from going back, allowing for depreciation and loss, was known to be 20,000 tons. Last year they were short to the extent of some 4,000 tons. That had been explained to be owing mainly to the transfer of men from building to repairing. But he had been 14 years in that House, and he had never yet known a First Lord of the Admiralty who had completed his programme, with the exception of the late Mr. Corry. The moral he should like to draw from that was, that there must be some good reason why they all fell short; and it appeared to him that it was to be accounted for in their strong desire to keep the Estimates down, and thus under-rate the necessity of repairs. Having done this, the inducement was very great to take men away from building and put them to repairing ships. He would urge upon the First Lord of the Admiralty that it would ensure his work being more perfectly completed, at the conclusion of the year, if he were to increase, considerably, the amount of work put out to be done in private Yards. If that were done, there would not be the same inducement to transfer men from one work to another. With reference to the engagement between the *Shah* and the *Huascar*, there was a misapprehension which he wished to explain. It did not appear to him that any explosion took place. The facts were that the shell struck the ship, penetrating one side, breaking up, and working its way through, struck the other; but as it kept on its course it could not have exploded. It was only a harmless burning of powder at the time of the breaking up of the shell. That was a very important and very useful fact to note.

Sir JOHN HAY wished to point out to the hon. Member who had just sat down, that the programme of the Admiralty was completed in 1867-8.

Mr. SAMUDA observed that was the very year he referred to as being an exception.

Sir JOHN HAY said, it was also completed in 1875-6, according to the Return—No. 421 of 1877—he held in his hand. In 1867-8, when the late Mr. Corry was First Lord, it would be seen that the performance rather exceeded the promise; and in 1875-6, though the wooden and composite building was a little less than the programme as to iron-clads, it was quite up to the programme, and, on the whole, fulfilled the promise of the First Lord on moving the Estimates. He thought it due to the memory of two eminent men now no more to call attention to the accuracy with which they had performed their duty. He was glad to hear from the statement of the First Lord of the Admiralty that they had sufficient men to man all the ships which they could by any possibility commission; not only ships belonging to the Navy, but such merchant ships as they might require for special purposes. He was not quite sure, however, whether they were entering a sufficient number of boys for the Navy; he did not think that 27,000 was quite sufficient to keep up the waste, and he should like to have some information on that subject. He believed there was some proposition as to extending the training ships; he was doubtful whether, if the Navy were to be recruited from those that at present existed only at the ports, the number of boys would be sufficient. There was no doubt that the practice of going aloft, in which seamen were formerly trained, gave them a certain amount of courage and self-possession that was of the greatest possible value. It gave them a readiness of hand and eye, which was of the utmost value; there was a considerable falling off in that respect, however. As Captain Shaw, of the London Fire Brigade, who drew upon the Navy for his men, said, last year, in evidence before a Committee of the House, the men had, in those respects, deteriorated; and that, while he could now get steady excellent men, yet they were deficient in that ability for climbing which was so extremely necessary. If the boys were now exercised aloft, it would be found to be of great advantage. He had next to thank his right hon. Friend for what had been done with regard to officers of the Marines. He had formerly been used to pester the right hon. Member for the City of London (Mr. Goschen) to give back the rank of major to the Marines, and every year he received innumerable letters from officers stating their grievances. This year he had not a single letter, thereby showing that they were extremely well satisfied with the arrangements which had been come to in their case. With regard to the question of building additional iron-clads, he was glad to see a notification in the newspapers that a vessel built for the Brazilian Government—the *Independencia*—had been bought for our Navy. He should be very glad if that report were true; and he hoped the Japanese iron-clads, and any others that might be obtainable, might also be purchased—whether out of the Vote of Credit or out of the Navy Estimates was immaterial—so that our Fleet was made more efficient. It was a most fortunate thing for this country that there had been a scare, if only the results were the strengthening of the Navy and the strengthening of the country. It was satisfactory to hear that the class of corvettes was to be increased; but he had not heard that the *Cormorant* class were to be added to, and they were very useful and efficient ships, which might fairly be increased with great advantage. With reference to torpedo boats, steps should be taken to increase their number—the greatest danger to iron-clads was from torpedoes —and to protect them from those machines was a subject which had been considered by the most competent judges.

Various plans had been invented; but, while hampering the ships, they gave but little protection. To be really protected, a very large iron-clad ought to have, at least, three steam torpedo boats to patrol the neighbourhood, and keep off the boat attacks of the enemy. But, although the number of iron-clads had been increased, there was only provision in the Estimates for 28 of those boats, and they would not be sufficient for more than nine or ten iron-clads. Considering their small cost, he hoped the Government would construct many more of them. There was another class of boats he should like to see increased —he meant the boats for the defence of ports and harbours, like the *Staunch.* That boat had only cost £7,000, while it carried a 12-ton gun, and was capable of performing the most useful and valuable services. Harbours, like the Mersey and the Tyne, ought to be provided with a flotilla of such vessels, ready to be manned by the Coastguard or Reserve men at the approach of a hostile ship. He would be very glad to see some provision in the Estimates for the defence of the ports and harbours, based on the construction of that class of boats. As to the extension of Chatham and Portsmouth Dockyards, the information that had been given was most satisfactory. They had Dockyards with which Kiel and Wilhelmshaven could not compare. They could not in these days afford to be behind other nations in the construction of such places, and he congratulated the House on the statement which had been made on that subject. It was extremely satisfactory to know how far the works were advanced at Chatham and Portsmouth, and that there was a determination to complete them. With regard to the extra men in the Dockyards, he should like to know whether the charge for them would be covered by the £109,600 mentioned—those men having been engaged for eight months certain. On the question of Roman Catholic chaplains, the difficulty was where to put them. All ships having a crew of 180 to 200 men were entitled, by the Regulations, to have chaplains. About 12 per cent of the seamen were Roman Catholics—that was, in about 60,000 men, 5,000 were Roman Catholics, who were disposed of in various ways. Consequently, in such ships as the *Alexandra,* with 600 seamen on board, 50 would probably be Roman Catholics. As a chaplain was not given for less than 200 men, 50 could not be entitled to one. Although he recommended the right hon. Gentleman to do everything to secure seamen the ministration of priests of their own religion, yet there was the greatest difficulty in finding a place on board ship for them. The only way in which it could be done—if he might make a playful suggestion—was to give a Roman Catholic commander a ship manned entirely by seamen of his own faith, with a chaplain. In the same manner, if the officers and men were of that faith, they might have a Presbyterian chaplain. But, speaking seriously, he had no doubt that everything would be done, by providing chaplains at the hospital ships, to remove the grievances. While at sea one clergyman could not possibly communicate with any of the seamen on board of the other vessels; but in harbour the men could attend their own place of worship. The present system had the advantage of numbers on its side, and it could not be expected that the 12 per cent could make the 88 per cent give way to it; but whatever was possible to be done would, no doubt, be done.

MR. SHAW LEFEVRE said, the Estimates for the present year so closely resembled those for the preceding, that he had come to the same conclusion as that stated by the right hon. Gentleman—namely, that he had been so short a time at the Admiralty that he had not thought himself justified in adopting any new and important policy, or in reversing the decisions of his Predecessor. The House, he was sure, would give him every consideration in that respect, nor would it expect him prematurely to come to any decision on many important points. It was satisfactory to know that the Estimates were of a normal and unambitious character, and that the Vote of Credit was hitherto the only warlike symptom, and that would expire at the end of a year. He hoped the right hon. Gentleman would, at no distant date, explain what was really to be done under the Vote of Credit—how much had been spent on more iron-clads, and how much on dockyards, on shipbuilding, on repairs, and on stores; for from the manner in which that Vote was mixed up with the Estimates, it was all but impossible to judge what had been done in the Dockyards. It would also be desirable that the House should have some information on the precise character of the iron-clads which had been bought from the Turkish Government, and the other vessels which had been acquired under the Vote of Credit. Those vessels had been actually added to the Navy, and it was right that information with respect to them should be given. He believed the vessels belonging to the Turkish Government were extremely valuable; and had the Government asked for a Supplementary Vote for their purchase, he believed no objection would have been made. They had been told that the work of shipbuilding was somewhat behindhand, and there appeared to be a deficiency of 3,000 tons in the Dockyard work during the past year. That was on account of the work having been retarded on the *Inflexible*, *Ajax*, and *Agamemnon*. But if the work were retarded on those ships, it would have been possible to have proceeded with others. That was an excuse which was good as far as it went, but was not altogether sound and good; for if men were taken off these new ships, the *Inflexible*, *Ajax*, and *Agamemnon*, it would not have been impossible to have put them on the other vessels. He had no doubt good reason could be alleged for the delay—that there was pressure with the work at the Dockyards in fitting out vessels for employment in the East. But it would have been better to have taken a Supplementary Vote, rather than to have withdrawn the number of men employed in shipbuilding. From the statement of the First Lord of the Admiralty, he gathered that it was proposed to lay down, in the present year, four new iron-clads and one torpedo ram, which was not begun during the past year. He gathered from this that there were to be five new iron-clads. That was a very large number of vessels to be commenced in one year. No doubt, however, it was rendered necessary by the fact that, within the last two years, no new iron-clads had been laid down. He would point out, however, that there was an increased responsibility on the right hon. Gentleman of a very serious character. He was glad, therefore, to hear from the right hon. Gentleman that he would lay a statement before the House at no distant date as to the nature of the designs on these new ships. He did not, however, expect that the right hon. Gentleman would do more than state generally the nature of the vessels, without entering into such specific details as would enable those vessels to be minutely criticized. He did not think such minute criticism desirable. He thought it desirable that the First Lord should take upon himself and his Board the responsibility of deciding what the designs should be; and although it was reasonable and right that he should acquaint the House with the general nature of the types of these vessels, it was not desirable that the responsibility for the designs should be shifted to the House of Commons. Nor did he approve the plan proposed of having at the Admiralty a standing Committee of scientific and naval men, to whom designs should be referred. The right hon. Gentleman had pointed out that in France there was such a Committee, and he (Mr. Shaw Lefevre) quite agreed with the opinion of the right hon. Gentleman that such a Committee was more likely to be an obstruction than an aid to the Admiralty. He believed that such had been found to be its operation in France. At the same time, he would venture to suggest that, at a time when a new departure was made, when entirely new designs were adopted—at such a time it might be desirable to appoint a certain number of men outside the Admiralty, to whom might be referred designs of great novelty and importance for their general advice. This he said, because he found it had not unfrequently happened, when vessels of this great novelty were constructed, the public mind became excited, and it was found necessary to have recourse to a Committee of scientific men outside the Admiralty. What had occurred in the case of the *Devastation*, and more recently in that of the *Inflexible*, showed the expediency of taking advice outside the Admiralty where new designs, involving great expense, were involved. Inasmuch as the right hon. Gentleman had promised not to bring on Vote 6 or Vote 10 that night, and that thus the House would have another opportunity of discussing the Dockyard Vote, he (Mr. Shaw Lefevre) should not refer further to what he had said on this point. With reference to other points not mentioned by the right hon. Gentleman, there were two on which he hoped to have heard something from the right hon. Gentleman. One was the appointment of naval cadets. A rumour had reached him (Mr. Shaw Lefevre) that the right hon. Gentleman proposed to make some change in the appointment of naval cadets. It was a subject which he (Mr. Shaw Lefevre) had twice brought before the House, and he would again have given Notice with regard to it, had he not had the expectation that the right hon. Gentleman himself would have made some statement on the subject. He hoped the right hon. Gentleman would give the most serious attention to the subject. Great disadvantage had resulted from the change made by the late Mr. Hunt. That change amounted to a restoration of the system of pure nomination. He had already pointed out on two occasions the prejudicial results which had followed. The right hon. Gentleman approached the subject with a fresh mind, and with no predisposition against the modern system of competition, which held that those appointments should be given to those who showed the best ability. For these reasons, he (Mr. Shaw Lefevre) hoped the right hon. Gentleman would see his way towards returning to the system established by his right hon. Friend the Member for Pontefract (Mr. Childers). The other question to which he wished to refer was that of the boilers. More than four years ago this matter was brought under the notice of the House. Before his right hon. Friend behind him and he himself had left office, they had determined to appoint a Committee on the subject. He believed Mr. Hunt acted on their Minute; for almost immediately on entering office, he appointed a Committee to investigate the causes of the rapid deterioration in boilers. It was most unsatisfactory that that Committee had been four years in existence and had not yet completed its work; for while the Committee was sitting the boilers were wearing away. The evidence before the Committee showed that boilers in the Navy did not last more than five or six years; and it was clear, therefore, that nearly a whole set of boilers for the Navy had been worn out while the Committee was making its investigations. It was really monstrous, after the assurances so frequently made, that they were about to send in their final Report, that this Committee should not have come to some conclusion. He (Mr. Shaw Lefevre) had waded through the bulky volume they had already laid before the House, and a great part of the volume it was waste of time to study. The Members of the Committee had been about the country; had held a great many meetings, and had examined a great many important witnesses; and yet he (Mr. Shaw Lefevre) failed to find that they had discovered any new facts. The really valuable information was contained in the Appendix under two Returns—the one Return showing the average duration of boilers in the Merchant Service, and a similar Return with regard to the boilers in the Navy. When they compared these two statements, they would see what a difference there was between the two. If, for instance, they looked at the Report given by the Inman Lines, they would find some cases of the most extraordinary character. They would find that boilers had lasted for over 10 years; and, not only this, but that the mileage run was extremely large. He should like to bring one or two cases to the attention of the House. In the *City of Antwerp*, the boilers had been put on board in 1866; they lasted for eight years, the distance run being 539,000 miles, and they were represented to be still in a good condition, and likely to last two years longer. Some cases in the Navy were quite as extraordinary the other way. Thus, the *Daphne* received her boilers in 1866; and she was paid off in 1870, four years after. After two years and four months of active service corrosive action had set in; the boilers were condemned; and he saw by the Report of the Principal Engineer of the Admiralty on this case, that the cause alleged for this was inexperienced management. This was a most important question; it was not one merely of cost, but of continued efficiency, for if the boilers were to wear out in this way, vessels would be laid up for months at a time when they were most needed. No one could read the Appendix without seeing that the evil was due, on the whole, to inefficient engineers. That inefficiency was, in the main, due to want of service, and partly, also, to the general inferiority of the position of the engineer. The expedient proposed last year was a mere palliative of a temporary character, and it would be a great misfortune if the whole question were not again considered. He was glad to hear from the right hon. Gentleman that he proposed to do something in respect of the Roman Catholic chaplains. He (Mr. Shaw Lefevre) did not quite understand what the right hon. Gentleman proposed to do. As far as he could gather, the right hon. Gentleman proposed to put a chaplain within reach of the Roman Catholic sailors where a great many of Her Majesty's ships were collected together; but how he proposed to do this the right hon. Gentleman did not explain. He agreed with the right hon. Gentleman that it would not be advisable to have two chaplains of such opposite creeds on board each vessel; and the result, he thought, would be that they would soon have no chaplain at all. He hoped they would hear from the right hon. Gentleman at greater length; but with the general tone of the right hon. Gentleman's observations he agreed, and he certainly hoped that Roman Catholic sailors should have those ministrations in their own religion which they no doubt desired. He could only say, for his own part and on the part of those beside him, that they would do their best to assist the right hon. Gentleman carrying their Votes. With the exception of Votes 6 and 10,—which, considering their matter and the fact that this discussion had come on somewhat unexpectedly, he hoped the right hon. Gentleman would postpone—he (Mr. Shaw Lefevre) would offer no opposition to the right hon. Gentleman's proposals.

Mr. HOLT said, he would not then discuss the question of Roman Catholic chaplains for the Fleet. He was not able fully to understand the proposal of the Government; indeed, the only thing clear from the statement of the right hon. Gentleman on the point was that there was to be an increase in the number of Roman Catholic chaplains in the pay of the Government. That arrangement might be perfectly satisfactory to some hon. Gentlemen; but there were a number of Members on that—the Ministerial—side of the House who would not view it with satisfaction. It would meet with opposition at the proper time; and what he wanted to know from the right hon. Gentleman was the precise manner in which the Vote would come before the Committee? Was it arranged for in the Estimates as they now stood, or were they to have Supplementary Estimates?

Mr. T. BRASSEY: My hon. Friend (Mr. Shaw Lefevre) has very properly said that the kernel of the bulky Volume presented to the House by the Admiralty Committee on Boilers is to be found in the Appendix. I consider the tables presented to that Committee by the great Steam Companies most suggestive. It was impossible that the Committee could suggest any more efficacious system for the preservation of the boilers than that which has been adopted with such admirable results by the Inman, Cunard, and other Companies. I consider that what is most necessary in order to introduce an efficient service in the Steam Department of the Navy is that our engineers should have opportunities of acquiring experience in that excellent system of management which exists in the Merchant Navy. No doubt the Admiralty have established a very good system of theoretical training in the Dockyards and at Greenwich, but what is really wanted is practical experience in the management of steam machinery. I believe that under the present system the engineers, on the completion of their theoretical course, pass at once into sea-going ships. It is quite obvious that young engineers leaving Greenwich cannot possess much practical knowledge, and the evidence taken perfectly establishes that point. It is not to be expected that they should be competent. The Chief Engineer has to give himself additional trouble, and assist these young engineers on the watch, until they have acquired some experience. That is all very well in time of peace; but, if these engineers are employed actively in war service, it is practically impossible that the Chief Engineer should exert himself in this way. It is absolutely requisite that every engineer should be thoroughly competent for the duties he has to perform; and the great cause of the present want of efficiency is the want of practice. In times of peace, our ships are necessarily a great deal in harbour; and they are very seldom called upon to make long voyages at high speed. In the Merchant Service—in the Atlantic Service more particularly, owing to the great competition which now exists—the vessels are in the most active employment; they are driven at a very high speed, and are allowed to remain only a very short time in harbour. The Engineering Department is called upon to keep these ships in a thorough state of efficiency, which, in fact, are as constantly at sea, and as severely worked in the same way as the Navy would be in time of war. If the Admiralty could make arrangements, by which the junior engineers could serve as supernumeraries in these ships for one or two years, a great benefit would be conferred on the Navy; because the engineers would thus acquire that practical experience in which they are so deficient at the present time. The present want of skill in the Engineering Department causes expense, not merely in the renewal of the boilers themselves, but in the material injury to the vessel which the removal of boilers frequently causes. A large amount of shipwrights' work is necessitated by the replacing of boilers. Nor is the expense the only question; for, under the present system, a large number of ships may be under repair at the time when their services are most required. Mismanagement of boilers involves a further disadvantage in the loss of speed, from a premature reduction in the pressure of steam. For all these reasons, I think the Admiralty is bound to consider the means of improving the Engineering Department. The status and pay of the engineers has been considered by successive Boards of Admiralty. I hope that, in the changes which may take place, there will be a diminution in the number of engineers aspiring to the rank of officers, and an increase in the number of those practical men who are, I believe, called engine-room artificers. If we give a very high mathematical education to our engineers, we cannot expect them willingly and readily to undertake the manual work which it is so very necessary for the engineer often to perform. We want a greater number of skilful workmen in the engine-room, and a smaller number of officers. I should be very sorry to view with jealousy the aspirations of any class of persons; but I must confess that when I hear complaints from engineers in the Navy that they are not invited to balls and other similar entertainments at the ports they visited, I cannot help thinking that we are running into some danger in giving so high a training to a class of men, a large proportion of whom are required to do manual labour. The training of the officers and seamen of the Navy for their difficult and responsible duties is one of the most important questions with which the Admiralty has to deal. We have established training ships for seamen, and have organized a complete curriculum for officers, commencing at the *Britannia* and winding up with a course of study in the higher branches of the Naval Profession at Greenwich. Theoretically, the training now established both for officers and seamen leaves nothing to be desired. There is, however, reason to fear that the altered character of the modern Navy, the reduction in the number of ships in commission, the introduction of steam, the multiplication of armoured vessels, which are more powerful for battle than satisfactory as a school of training for seamen, the system of relieving the crews on foreign stations by sending out reliefs in transports, and the opening of the Suez Canal, which has so materially shortened the length of the passages under sail out and home to distant foreign stations, have tended to deprive the Naval Service of opportunities which it formerly enjoyed. The continuous-service system, which has enabled the Admiralty to supply a crew to every ship as soon as she is commissioned, has of necessity led to the accumulation of seamen in time of peace in the receiving ships at the home ports. It is satisfactory to know that the Admiralty have large numbers of seamen at their disposal. On the other hand, a long residence in port cannot but be prejudicial to lads who have just left the training ship, and who ought to be anxious to go to sea. I have very recently received a letter on this subject from an officer serving on the China Station. He writes as follows:—

> "Our invaliding rate has been tremendous among the men; but they are not men, but boys, and cannot stand this enervating climate; no one under 22 ought to be here. We are suffering in the Service very much from the want of petty officers. I left England 13 short, with no quartermasters and no boatswain's mate, and only 19 A.B.s and 44 ordinaries. There is a screw loose in the training system for boys. Too much time is devoted to school, too little to seamen's duties, and their discipline

is too slack. The consequence is, that when they are drafted into sea-going ships they kick over the traces, and our want of good petty officers makes it difficult to preserve discipline. The *Eurydice*, and a few more like her, would do wonders. The boys, when turned out of the training ships, ought at once to go into sea-going ships, instead of being kept learning vice in the guardships at home, and no ordinary seaman ought to be allowed in a home ship. The behaviour of the senior men in the service is as good as one could wish."

The same observations apply to the young officers of the Navy. A large number are always *endisponabilitè* in the home ports. Others, who are nominally at sea, are attached to iron-clads and flagships, which are frequently detained for extended periods in port. It is a subject of general complaint amongst captains in the Navy that the young lieutenants are too often without the experience which they ought to have before they are allowed to take charge of a watch. As they go on in the Service they learn their work; and probably no Navy has ever possessed a more competent body of officers than the senior lieutenants of the present day. It is, however, a matter for regret that midshipmen and sub-lieutenants are not more constantly at sea. I venture to suggest the expediency of attaching a certain number of cruisers, capable of being handled under sail in the Channel, to the receiving ships at Devonport and Plymouth and to the barracks at Sheerness. The employment of such vessels would not merely increase the efficiency of the Navy, but might lead to great economy in the maintenance of the Fleet. If seamen were sent to cruise in training vessels, costing comparatively little to keep up, it would not then be necessary to have so many iron-clads in commission. A certain number of iron-clads would, of course, be required to form an evolutionary squadron and to protect British interests in distant waters to which reinforcements cannot be despatched on an emergency. The remainder of the iron-clads should be kept in the first-class reserve in the home ports, and in such centres of naval power as it might be necessary to establish abroad. Those ships should be in perfect readiness for immediate service. The crews of the cruising vessels should go through a complete course of gun drill on board the iron-clads in reserve every year. They should also have their quarterly firing exercise in an iron-clad, which should be commissioned as a gunnery ship, and which should visit each of the home ports at stated intervals. A similar plan might be adopted in the Mediterranean. Our expenditure on the repair of iron-clads, owing to the large number which we keep in commission in time of peace, is much heavier than that of any other maritime Power. Taking 1876 as an example of the ordinary expenditure in time of peace, we had 20 iron-clads in commission, France nine, and Germany six. Assuming the cost of repair at £10,000 per annum for each iron-clad, our expenditure for maintenance was £200,000, while the corresponding figures for France and Germany would be £90,000 and £60,000 respectively. The money saved by a reduction in the number of iron-clads in the Mediterranean, and in the Reserve Squadron, would in a few years have created quite a respectable squadron of iron-clads. There is no reason why our evolutionary squadron should not cruise in the Mediterranean as well as in the Atlantic. No iron-clads should be employed in the Reserve Squadron. Getting up steam only a few times in the year is even more deteriorating to the boilers than regular employment at sea. The Coastguard might cruise in the evolutionary squadron. Objections may be urged to the system of training here proposed, on the ground that it will deprive officers of the opportunity of serving in iron-clads. To this it may be replied that under the plan actually adopted the necessary experience is very slowly acquired. Iron-clads which can only make voyages under steam are naturally kept very much in harbour. The experience of a three years' commission, as regards the handling and manœuvring of the ship, might have been gained in six months if the time had been devoted mainly to such instruction, and the ship had been constantly at sea. By appointing officers in more rapid rotation to the evolutionary squadron, and keeping the ships more actively employed, it might be possible, while reducing the number of ships in commission, to give officers serving for a short time in the evolutionary squadron the same experience which they at present derive from a longer commission in ships much less actively employed. The omission to develop the enormous resources we possess in the Mercantile Marine is one of the most serious faults of our recent Admiralty administration. Having prepared a Paper on this subject, at the request of the Institute of Naval Architects, in 1876, it is with great satisfaction that I am able to state that the question has since received considerable attention at the Admiralty. The results were embodied in a Paper by Mr. Barnaby, in which he reported most favourably on the capabilities of our merchant steamers as auxiliaries to the Navy. We possess about 300 vessels which would have a speed of 12 knots and upwards at sea. A much larger number are only slightly inferior in point of speed, and they would be equally capable of carrying an armament. The recent changes in naval architecture have brought the first-class merchant steamer and the unarmoured ship of war very near together in point of fighting power. The Government should make such arrangements as would secure for the State the services of all suitable vessels in the event of war, and they could be applied, as Mr. Reed had said, with still greater advantage if shipowners who contemplate the construction of large mercantile vessels were invited to submit their plans to the Admiralty. Comparatively inexpensive modifications in the original plans of first-class merchant steamers would adapt them to the reception of a suitable armament. When ships are being built, shelf-pieces for carrying armour-plates could be introduced without the slightest detriment to the ship's capabilities, and the armour could be kept in store ready to be fixed, should the vessel be required for war service. A proper subdivision by means of bulkheads, and a judicious arrangement of the bunkers, would be conducive to safety under all circumstances, and especially advantageous for war service. All vessels in which the recommendations of the Admiralty were fairly carried out should be entered upon an Admiralty List, and the owners should receive a reasonable annual subsidy, on condition that their vessels should be placed at the disposal of the Government when required in the emergency of war.

MR. E. HUBBARD did not wish to detain the Committee for more than a few minutes; but he wished to put in a few words of plea on behalf of the lieutenants in the Navy. He found in the Estimates an item of £697,223 for the payment of 2,779 commissioned and other officers, of whom 816 were lieutenants on active service. Of these, 110 had seen 11 years service; 102 had seen between eight and 11 years; 172, five years and upwards; and 432 had not seen more than five years of service. It was simply impossible for these officers to live upon 10*s*. per day and find employment for their time when the country was at peace. He hoped the First Lord of the Admiralty would be able to see his way to the adoption of a progressive rate of pay for the lieutenants, which would improve their position and give to those of them who had been longest in the Service a proportionately higher rate of pay. At the present time a lieutenant of, say, 14 years' seniority and between 35 and 40 years of age, received no more pay than the lieutenant of from 20 to 25 years of age, who had only just been appointed to his ship.

MR. D. JENKINS could not admit that the defective state of the boilers of iron-clads was altogether due to the inexperience of the engineers.

MR. T. BRASSEY said, it was so stated in the official Report on which his remarks had been based.

MR. D. JENKINS said, he did not attach much importance to the Report. He spoke from experience; and he could say that the main reason for the boilers getting out of order and suffering deterioration, was that the engineers put salt water into them, and, in fact, were not inexperienced, but careless of the appliances which science had put at their disposal. He had boilers in his own steamers, the cost of repairing which during periods of seven years, had been almost nominal; and yet he found that in the Royal Navy it became necessary to replace the boilers once in four or five years. Further, he was of opinion that as a ship's boilers deteriorated more rapidly when the vessel was laid up in harbour than when she was actually steaming, it would be to the advantage of the Navy in many ways to keep the Fleet more constantly in motion. There could be no doubt that from want of more constant training and practice our sailors were not, in the present day, equal in efficiency to the men of 20 years ago, who were trained under the old system. He could not agree with the suggestion of the hon. Member for Hastings (Mr. T. Brassey) that training ships should be kept cruising in the Channel. He thought a better plan would be to commission a number of unarmoured ships, which should not use steam except when absolutely necessary, and let them sail between the home and more distant stations. These ships might not be fighting vessels; but it seemed to be forgotten that the country required cruising ships which should act as the police of the seas. Let them have iron-clads in the distant waters by all means; but ships of the kind to which he had just alluded were equally necessary for the purpose he had described. He would throw out a suggestion with regard to reserve seamen in the Merchant Navy. There was no reason why men should not be allowed to draft themselves from the ships of the Royal Navy after serving half their time, on condition that they continued in the Naval Reserve for double the usual period. A bond of sympathy would be thereby created between seamen in the Merchant Service and those in the Royal Navy, and the men who had been trained in both Services would be the most efficient that could be obtained.

CAPTAIN PRICE observed that a few years ago he made a suggestion similar to that of the hon. Member for Penryn (Mr. D. Jenkins) with regard to the interchange of seamen between the Navy and the Merchant Service. Seamen who had served for a number of years in the Navy, but had not earned a pension, would be willing to go into the Merchant Service for two years for the sake of the higher pay, if those two years were allowed to be reckoned in their pension earning period. The effect of that would be to make the number of men on the list of the Navy much larger, with scarcely any additional expense. With reference to the suggestion of the right hon. and gallant Member for Stamford (Sir John Hay) as to torpedo boats, he was of opinion that a great deal more importance would have to be attached to that branch of the Service. They would not have to run away from them; but they did not know at present their true value. They had made experiments with torpedoes, but they had had no experience of their use at sea, and ought to be prepared for various contingencies. He should further like to point out to the House the difficulty of making good practice at sea with their guns. They really did not know what a general naval action between two fleets was to be in the future. It was quite possible that two vessels like the *Inflexible* might be engaged for several hours without doing each other much damage, or that an *Inflexible* would be unable to inflict much damage on a weaker vessel. Not only pluck and skill, but good fortune and accident would be a great feature in future naval warfare. In a general engagement between two fleets, the smoke of battle might lift for a moment and give the captain of a ship the chance of firing a broadside at 200 or 300 yards, which might be culpably lost by a moment's hesitation. Or, in an opportunity of ramming a vessel, a chance might occur which ought not to be lost. Or, if a vessel were provided with torpedo boats, a chance might arise of making good use of them. There were several kinds of torpedoes, and some naval officers preferred one kind and some another. It would be well to let each captain try the torpedo he had most confidence in, and not distribute the Whitehead to all alike. Some remarks had been made with reference to the position of the lieutenants in the Navy. It was quite time that their pay should be increased. When he was lieutenant, he only waited 10 months for promotion, and from that to 18 months was then the average. But now officers had to serve four to five years before getting promoted, and their pay was just the same as it was 20 or 30 years ago. The Supplementary Vote for the Army had lately been presented to the House, based on the increased cost of provisions; and it was time that the same thing was done in the same matter with reference to officers of the Navy. There were certain anomalies, of which he should like to have some information — namely, the position of warrant officers, the so-called carpenters, and engineer officers. The country had broken faith with the warrant officers in not giving them commissions in the Service, as was promised 20 or 30 years ago. All that had been done was to give the senior warrant officers a separate rank in the Service. But that was not the same thing as making warrant officers lieutenants. Although that ought not to be done in many cases, it might well be done in some. He knew several cases in point, as that of Mr. Young, who was now Vice Consul on the coast of Africa, who had done great service to the country. There might be a difficulty in commissioning warrant officers to serve in the same ship in which they had previously been. But there were many ways in which warrant officers, when commissioned, could be made of service to the country without the least objection, in the Coastguard, for instance, or in command of gunboats. There was, also, another class of men to whom he should allude—the so-called carpenters—a term which, in these days was not quite correct, for they were identical with the Constructors' branch in the Dockyards. It was a small matter, but the term might be changed to that of naval surveyors, or something of that kind. These officers ought to be attached to the ships when they were building in the Dockyard, so that they might understand their construction from the keel upwards. That practice had not been carried out as much as it might have been. It was very essential that the carpenters, as well as the engineers, should be appointed to their positions before the completion of the ship. A good deal had been said about engineer officers. That was a large subject, and he would only say that he did not think the Government had quite realized what the Committee thought about that branch of officers. Last year, no doubt, something was done for them; but there was room for much more. They were formerly interfered with on board ship in a way which not only annoyed them personally, but interrupted their duties. In connection with their case was that of the engine-room artificers; and although it seemed a trumpery matter, the question of their uniform was a grievance. As had been stated, they were now compelled to wear the badge of an inferior branch, which there was no necessity for their doing.

GENERAL SIR GEORGE BALFOUR said, that as the system was still continued, by which the whole of the guns, warlike stores, and ammunition for the Navy was charged in the Army Estimates, he must again raise his voice in opposition to a bad practice, which facilitated waste and extravagance. The consequence was, that the Estimates of the Army had had to bear, during the course of the many years since the practice began in 1825, the whole of the charges for the armament of the Navy, and necessarily, during the past 25 years, of recurring changes in the description of gun in use. Those charges had been so frequently made by the naval authorities that the outlay had been enormous. Those changes were still in progress, and the Army charges were still on the increase, because of the cost of the large amount of ammunition now required for the iron-clads. It was high time that the expenditure should be charged in the proper quarter. There would be no difficulty in the Army supplying the Navy with the ammunition required; but it ought to be credited with the cost of it, so that the money would be voted by the House under a proper head in the Naval Estimates. In the same way the Navy could debit the Army with the cost of transport of troops. He hoped they would obtain from the Admiralty a remedy for the present anomaly. There could be no difficulty in effecting this reform, seeing that the Naval Estimates of last year contained a charge of £80,000 for torpedoes. This year the War Office Estimates provided the fund for this weapon. But as the Naval Estimates had once borne the charge, there could be no difficulty in continuing the practice. Indeed, the War Office Estimates showed the calculated cost of all the warlike stores expected to be issued to the Navy in the course of the year 1877-8. Those charges could with greater ease be inserted in the Naval Estimates, and the funds regularly voted as a portion of the Naval Expenditure. The Army would then be repaid for the stores actually supplied, in the same way as now followed for many supplies between the Naval and Military Departments by agreement between the two Accountants General. The Army, in like manner, could repay to the Navy the outlay incurred by the Navy for the cost of transports. In this form economy would result.

MR. GORST said, it was satisfactory to learn that the grievances of the officers of the Royal Marines had been redressed; but he also wished to recommend to the consideration of the First Lord of the Admiralty the case of the sergeants, who now, at all events, when on shore, were in pay and allowance in an inferior position to the sergeants of the Army. Formerly the Marines had the same allowances and the same position as the Army while on shore, and a somewhat better position when afloat; but two years ago the position of the soldiers in the Army was altered, and they now had reserve pay. While sergeants in the Marines were accustomed to consider themselves relatively superior to Army sergeants, they now found themselves inferior, and he recommended their case to the consideration of the Admiralty. With regard to the Engineer Department of the Navy, they ought not to be satisfied with ordinary officers, and the best men were only to be secured by offering such pay and position as would attract them to the Service. The engineers deserved extremely well of their country, and rendered to it signal services, in many instances saving thousands of pounds. As an example, he would refer to the case of H. M. S. *Rupert* whose engines had worked so badly as to render her totally unfit for service, and it was thought that there was no remedy but by entirely replacing them. But by the assiduous attention and skill of the chief engineer, the engines were made to work, and the vessel was enabled to keep her station. The officers complained that their grievances having been brought before the Admiralty, and then before the House, an inadequate scheme was, in the first place, proposed, and then that that inadequate scheme had not been carried into execution. He did not wish to trouble the House at length; but if the right hon. Gentleman would look into the matter, he hoped he would take such measures as were necessary to remedy the grievances complained of. There was only one other point to which he wished to call attention—the naval cadets—a matter which well deserved the consideration of the right hon. Gentleman (Mr. W. H. Smith). England was the only nation in the world which sent children of 13 and 14 into its Navy as junior officers. They were also, he believed, the only nation in the world which appointed its officers by pure nomination. He was not entirely in favour of competitive examinations; but, surely, there ought to be some plan by which the Naval Service was thrown open to the whole country. It was an extremely popular Service, and more sought after than any other branch. There was no need for incurring the expense of the *Britannia* training ship, for if the Government would only tell the country what sort of lad they wanted at the age of 16 to enter the Service as junior naval officer —what knowledge of seamanship, of general education, of foreign languages —they would have the exact article supplied that they required, free of cost. He would venture to say, if there were 40 appointments vacant for junior officers in the Navy, they would have at least 400 youths to pick from, presented by the people of the country, every one of them perfectly well qualified to fill such a post. He did hope that the right hon. Gentleman would signalize his tenure of office at the Admiralty by placing these appointments in such a position that the country might get, as it would get, for its Naval Service, the pick of the youth of the nation. The hon. Member for the Tower Hamlets (Mr. Samuda) had rather reproached the Government for the small amount of shipbuilding proposed in the present year; but he thought, with the ships completed at the close of the present financial year, and with the tonnage announced by the First Lord for building and for completion during the next financial year, that the beginning of 1879 would see the Navy in a most highly efficient condition. There was no reason whatever to find any fault with the Estimates with regard to the quantity proposed to be built. The hon. Member for the Tower Hamlets made another suggestion, which he was sure the First Lord would not entertain—that our iron-clads should be built by private contract and not in the Dockyards. The right hon. Gentleman smiled, no doubt thinking that he (Mr. Gorst), as representing Chatham, had a strong personal interest in the matter; but he could assure him that, long before he represented his present constituency, he always thought that the Dockyards should be used to their utmost extent. They had a splendid plant of machinery, and that certainly should be employed before they went into the private trade. As to the type of ships, he wished to say that he thought the First Lord a little misunderstood some remarks of his on the previous night. The right hon. Gentleman was going to do the very thing he suggested—namely, to lay not the details, but the principles of the design of the ships to be built before the Committee, before it was asked to vote money for constructing them. If that were done—and it was all he asked—he thought the result would be most satisfactory, both to the First Lord himself and to the Committee. He asked the other evening whether the Admiralty were not convinced that the *Inflexible* ought to have been built 10 feet broader in the beam? It was a rhetorical Question, and he did not blame the right hon. Gentleman for passing it over. But he had asked another and a practical Question. The Report of the Committee of the *Inflexible* distinctly pointed to a recommendation that the *Ajax* and the *Agamemnon* should be broader in the beam; and as only a small part of these ships was built, he did wish to ask whether these vessels would be built broader in the beam? Of course, if there was any reason why he should not be answered on this point, he should be quite satisfied with an an intimation to that effect. There was only one other topic to which he wished to refer—in speaking of that he did not wish to speak from local considerations at all—namely, the extension works at Chatham. These had already cost a great deal of money, although, in his opinion, no more than they were worth; but those works would be entirely thrown away, unless there was a further expenditure for factories and machinery. The right hon. Gentleman the Member for the City of London (Mr. Goschen) had, on more than one occasion, said that this matter required the attention of the House of Commons, and he (Mr. Gorst) had more than once tried to call attention to it. Extensive basins, dry docks, and appliances of that sort, had been provided for the repair of ships of war, the idea being that in time of war they could not be repaired in the Tyne, at Glasgow, or elsewhere, but must be brought to some place like Chatham; where, after a naval engagement, they could be repaired under the protection of forts. Unfortunately, before these works were completed a fit of economy seized the House of Commons, and they refused the money necessary for building the factories upon the banks of the basins. As a consequence, they now had repairing basins, in which no ships could be repaired, and an enormous dock called the Factory Dock, probably because there was no factory on its banks. Again, this machinery, if ordered now, would take three, four, or perhaps five, years to construct; and, therefore, this matter did immediately require the attention of the Government. The machinery provided in the present sheds was far too small in proportion to the magnitude of the extension works; and, therefore, he did hope the right hon. Gentleman would turn his attention to the subject. He could not better illustrate his meaning than by repeating what the late Mr. Laird, formerly Member for Birkenhead, said on the subject. He declared, after visiting the works, that if he were the owner of the place, and had not the money necessary to complete it, he would raise it on mortgage, in order to make the works useful. From an economical point of view, he declared that it would pay him to do this. As the matter stood at present, the money was, to a certain extent, sunk. There was upwards of £1,000,000 spent in making these enormous basins, and yet they had not got the machinery necessary in order to make them useful.

CAPTAIN PIM wished to ask his right hon. Friend the First Lord of the Admiralty, whether there was any hope that some heavily-armed gunboats capable of keeping the sea under any weather would be built? He wished to point out that these were the vessels really required on the high seas for Her Majesty's Service, and that expenditure on mastless iron-clads was comparatively a throwing away of public money. For instance, the *Devastation* had cost at least £400,000. Vessels of that class would require about three years to complete. They were full of easily destructible machinery, and required a large crew to manage them, while one blow from a torpedo, or grounding, even under circumstances which would not injure a merchant steamer, would absolutely disable such a vessel. For the amount of money the *Devastation* had cost the nation, 16 such gunboats as he had described could be completed for sea, and that in three months by a single firm of shipbuilders. Would any practical man tell him what would be the fate of the *Devastation* with 16 such gun-boats attacking her? He (Captain Pim) would be very sorry to be on board that ship with only four gunboats properly handled attacking her. Anyone who knew anything at all of active service could tell the Committee what the fate of the *Devastation* would be. If he was right, on what grounds could the Admiralty persevere to continue to put so many eggs in one basket? Besides being most useful and efficient for purposes of fighting, the gunboats he wished his right hon. Friend to build without a moment's delay, were the very class of vessel required to protect our commerce. An hon. Member opposite had stated that our magnificent ocean-going merchant steamers, of which we had some 400, were admirably adapted for protecting our commerce; but he (Captain Pim) wished to point out that there never was a greater fallacy. Our ocean-going steamers were long narrow vessels, some ten times their beam for length; and he had no hesitation whatever in saying that, directly they were out of coal, the armament the Construction Department proposed to put upon their upper deck would infallibly capsize them. Besides, was there an hon. Member present who did not know that the mere firing of such guns in those vessels would shake them to pieces? The gunboats he proposed, on the contrary, would keep the sea under sail alone and cruise for months without going into port—like the *Alabama*—while the one great gun—38½-tons—mounted on Moncrieff's system, was of the longest range afloat. He (Captain Pim) had, by permission of the Speaker, placed a mechanical drawing of the gunboat he now proposed in the Tea Room, and he hoped that his right hon. Friend the First Lord of the Admiralty and hon. Members would do him the honour to inspect that drawing. He thought it right to tell the Committee that he had no personal object whatever to serve in this matter, as he was in no way connected with shipbuilding interests. He earnestly wished to see the nation as strong and powerful as it ought to be, and this could be promptly, efficiently, and cheaply done in the way he proposed. He would undertake, as he did 20 years ago, to raise thousands of volunteer seamen round our coasts. He did not mean the Royal Naval Reserve, because that could not be relied upon; but what he meant was, men living on the coasts and ready at any moment to take the sea and go to any part of the world on board the gunboats he had described. He would put it to the Committee whether, with even 50 such gunboats manned by the pick of the volunteer seamen, there would any longer be reason to fear that Russia would continue to tread upon our toes as she was doing at present?

Mr. BENTINCK adverted to what had fallen from his hon. and learned Friend the Member for Chatham (Mr. Gorst). He quite agreed with his hon. and learned Friend in thinking that the preference should always be given to the Government Dockyards, although they ought to resort to private yards when it was desirable to do so. No one had a higher opinion than he entertained of the admirable way in which private shipbuilding yards were conducted, and he did not mean to say one word in depreciation of them. All he contended was that Her Majesty's Dockyards ought to be kept up in the fullest state of efficiency. With regard to Chatham Dockyard, he could endorse the remarks of his hon. and learned Friend. He went over the magnificent works there, and it struck him — as it had done the commercial man whom his hon. and learned Friend referred to—that all the money had been wasted, and that although they had constructed these enormous docks, they did not possess the means of utilizing them. That was a matter which, he trusted, would receive the attention of his right hon. Friend. He was glad to be able to congratulate his right hon. Friend on his having acquired the happy art of never answering inconvenient Questions, if he could possibly avoid doing so. Yesterday he tried to call his right hon. Friend's attention to a grave subject which practically involved the whole question of the efficiency of our Navy. However, he did not succeed in eliciting any reply. What he wanted to know was what reserve they had of iron-clad ships in the event of the occurrence of those casualties which was inevitable in any naval action, however successful the result of such action might be to this country. Formerly, when they sent 40 line-of-battle ships to sea they used to have 20 or 30 line-of-battle ships in other parts of the world, and a reserve of ships at home equal to sending two or three more such Fleets. In short, they had ample means of fitting out a new Fleet if the first Fleet had been sent to sea and destroyed. Now, he wanted to know what their present position was in that respect? His right hon. Friend must know that it was no use to have any secret about these matters. Those foreign countries with which they might possibly come into collision knew the state of our Navy just as well as we knew it ourselves, and consequently his right hon. Friend would tell them nothing which they did not know already. Very recently circumstances led to the impression that additional reinforcements were required in the Mediterranean, and the first thing that was done was to send the Channel Squadron to reinforce the Squadron in the Mediterranean. But surely this country never ought to be without a Channel Squadron at any time. Their coasts ought never to be left defenceless. His right hon. Friend would, no doubt, tell the Committee that the Government had recently purchased four or five iron-clads that were built for foreign Governments, and that other ships were now in course of construction. Well, he admitted that these vessels would increase the strength of their Navy; but he contended that when they had bought and built all these ships they would not possess such a reserve of ships as England ought to have for the maintenance of her honour, her security, and her interests. He likewise wished to learn from his right hon. Friend whether it was the policy of the Board of Admiralty to construct a certain number of ships for foreign stations of such proportions that they could be handled under canvas, independently of steam? That he believed to be a most important point. In his judgment, it was indispensable for the country, looking to the fact that they must have men-of-war in every part of the world, to possess a certain number of ships which could be relied upon when under canvas, and which could reserve their coals for the emergencies of an action, or of any unforeseen calamity. He also hoped his right hon. Friend would inform the Committee whether the Admiralty were taking steps to provide a number of fast cruisers—unarmoured ships with heavy guns—for the protection of British commerce?

Mr. W. H. SMITH: I certainly cannot complain of the criticisms that have been made on the Votes which I have had the honour to submit to the Committee. Hon. Gentlemen on both sides who have addressed the Committee have done so with very great consideration, for which I desire to return personally my warm thanks. I will now proceed, as carefully as I can, to notice the observations which have fallen from them. In the first place, I must refer to the observations of my hon. Friend the Member for the Tower Hamlets (Mr. Samuda). My hon. Friend referred to the amount of tonnage which was built during the past year; but I think he scarcely stated it correctly. The actual tonnage weight of hull expected to be built in the year 1877-8, under the programme which was presented to the House in June last, is, in the Dockyards, 15,598 tons, and by contract 4,060 tons, making a total, in round numbers, of 15,598 tons.

Mr. SAMUDA said he might be wrong; but he certainly had noted down that the tonnage proposed to be built in the Dockyards was 14,240 tons.

Mr. W. H. SMITH: I believe my hon. Friend is right. I quoted the tonnage which had been built as distinguished from the tonnage expected by the programme of 1877-78 to be built. The total number of tons which it was intended to build was 18,648 tons, and out of that number it is hoped there will be built 15,598 tons. So there is a deficiency of about 3,000 tons; but this consists almost wholly of deficiency on the *Inflexible*, the *Ajax*, the *Agamemnon*, and the new *Agamemnon*. The real truth is that the pressure in the Dockyards has been very great, and that the hands which would otherwise have been employed in building those 3,000 tons have been engaged in pushing forward repairs, a course which I think the Admiralty was well advised in adopting in order to bring our ships into a condition in which they will be available in case of need. As to the corvettes to which my hon. Friend referred, they will be completed during the coming financial year. We expect, indeed, that two of them will be completed early in the year. My hon. Friend urged, with a considerable amount of force, the expediency of employing contract work. I need hardly say that I am fully aware of the value of contract work. I know that very often it secures the completion of a ship within the time contemplated; but not always, for, as I have already stated to the Committee, there is a deficiency as regards the amount of tonnage built, which is due to the strike on the Clyde, where the work on the six corvettes was suspended for some time. There is, as my hon. Friend the Member for West Norfolk (Mr. Bentinck) has pointed out, an absolute necessity for maintaining our Dockyards in a state of efficiency. If contract work is good, so likewise is Dockyard work, and it is desirable that the two systems should go on side by side, so that the country may be able to compare the economy and completeness of the work turned out under the two systems. I will not renew the controversy with regard to the shell to which my hon. Friend has referred; but I am assured that the shell actually exploded in the *Huascar*, and that although, unfortunately, a great deal of mischief was done, it was not caused by the direct impact of a shot. I come next to the speech of my right hon. and gallant Friend the Member for Stamford (Sir John Hay), who asked whether the entry of boys into the Navy was sufficient to supply the demand for them. I am glad to say that I believe it is fully sufficient. It was found necessary to raise the standard a short time ago, because a greater number of boys were offering themselves for the Service than the Admiralty thought it well to accept, we deeming that to be the right policy to adopt in order to secure the best possible boys that could be had. My right hon. and gallant Friend the Member for Stamford also asked me to make a statement respecting the expenditure of the Vote of Credit. Now, I think the Committee will feel that until the appropriation of that fund is complete, it will be undesirable that I should make a statement as to its practical application. As to the corvettes, eight will be building in the course of the present year. My right hon. and gallant Friend also referred to the necessity of an ample supply of torpedo boats. I do not wish to enter too largely into that system of defence, and therefore I will only say that the Admiralty are fully conscious of the importance of protecting our ships in every way against the consequences of torpedo warfare, and also of availing ourselves of the advantages of torpedo warfare. With reference to the torpedo boats to be constructed specially for that Service, and which are included in the Estimates which I now submit to the Committee, I may mention that it is intended to build steam pinnaces to be carried by first-class ships, in addition to their present number of steam pinnaces, so as to enable them to protect themselves against attack, and to use them for attack. The hon. Member for Reading (Mr. Shaw Lefevre) has spoken of the designs for the four new iron-clads which it is proposed to build. I am well aware of the extreme importance of affording the Admiralty ample assistance to enable them to decide on the steps they should take in dealing with any new designs which they may request to be submitted to their notice, or which the Constructor may submit to their notice from time to time; but I venture to think that the whole responsibility ought to be left to the Board of Admiralty for the time being, and that it is undesirable that the House of Commons should lay down any rule on which the Board should be required to act. That would be likely to relieve some weak Board of Admiralty from the responsibility which ought to belong to it. I cannot myself believe that a Board of Admiralty, listening to suggestions which are novel in their character, and which are, to some extent, speculative, would sanction the application of those novel principles without having thoroughly assured themselves, in the first instance, that there was probable safety in the course they were asked to adopt. The hon. Gentleman has referred to the delay which has taken place in the proceedings of the Boiler Committee; and I concur with him in thinking that that delay has certainly been excessive. My Predecessor did everything in his power, short of physical force, to induce the Committee to conclude its operations and present a final Report. I have thought it necessary to put an end to the Committee altogether, and in that way I hope to receive its Report at last. But observations of any value, which may have been initiated by that Committee, will be continued by officers in the Engineer Department of the Navy, in correspondence also with the principal Steamship Companies in the Kingdom, so that the greatest possible care will be taken to record anything which is really valuable in relation to the corrosion of boilers. It is, no doubt, a most important question. The decay of boilers involves much more than the mere cost of repairing or replacing them; it involves the laying-up of the ship and the pulling her to pieces, and this leads not only to considerable expense, but to the presence of a certain number of absolutely unusable ships at all times in Her Majesty's Dockyards. Therefore, the question is one which is not lost sight of at the Admiralty. But it is only fair to say that the circumstances and conditions under which Her Majesty's ships keep the sea are not quite the same as those to which merchant ships are subject. A merchant steamer starts upon its voyage and goes right through, while Her Majesty's ship has constantly to hang about a port or a coast with fire banked, at one time going full speed, at another time going at half-speed, or not going at all; and I am informed that that species of work is really in itself more destructive to boilers than the steady work of starting on a voyage and going right through and then returning. At all events, the circumstances which have been mentioned by the hon. Gentleman have not escaped the attention of the present Board of Admiralty, and they will continue to receive our careful consideration. There is one thing I have omitted to notice in my speech in introducing the Estimates, and that is, that an effort has this year been made to secure a general training and a higher class of officers for the engineers by establishing a school for their education on board the *Marlborough* at Portsmouth. That school has been started under the most favourable auspices. Already a large number of applications to undergo the examination for apprentices in June next have been received—nearly 300, I believe, for 55 vacancies. The hon. Member for North East Lancashire (Mr. Holt) has referred to the proposal which I have made respecting the reasonable demands of the officers and sailors of the Roman Catholic faith. I do not think it will be necessary that I should introduce any Supplementary Estimate for that purpose; but I will, in perfect good faith, state to the House what provision I am able to make at a later period of the Session, when hon. Gentlemen, who are interested in the question, will have ample opportunity for discussing the point. My hon. Friend the Member for Hastings (Mr. Brassey) has expressed a strong desire that engineers of the Royal Navy should first have practical experience in merchant vessels. For my own part, I should be exceedingly glad if it were possible to make a provision of that kind; but, at the present time, we have not a sufficient supply of young assistant-engineers to enable us to pass them through this additional course; and possibly there might be some objection on the part of the owners of merchant steamers to receive these gentlemen in their ships. I do not know how that may be; but any practical suggestion which will afford these officers greater facilities for acquiring really practical information I should be glad to endeavour to carry out. My hon. Friend has also referred to the injurious effect on seamen, and especially on young seamen, of a long stay in port. In the earlier part of the evening I referred to what I considered to be the great advantages of the training ships which are sent to sea with these young seamen; but I omitted to state that there is an old sailing frigate now in course of being re-fitted at Pembroke which is intended to go to sea at Easter with her complement of young sailors for the purpose of training them efficiently. I confess I have myself doubts whether attaching training ships to the Coastguard and the Naval Reserves for Channel service would be quite so useful as sending them out to the West Indies, or to cruise elsewhere on a long voyage. My own belief is that it would be much better to send these youngsters away to sea than to keep them knocking about the home waters. My hon. Friend next referred to the number of iron-clads in commission, and said there were too many; but I think the other evening his advice was that an iron-clad should be sent to the Pacific, and another to China, and he further suggested that it would be expedient that a light iron-clad should be stationed in the River Plate. The truth is that we have no more iron-clads in commission at the present time than we can well avoid having for the services which they have to undertake. But I cordially agree with him that in time of peace it is expedient that the number of iron-clads in commission should be as few as possible, and that the number of efficient sea-cruising ships should be as large as possible. I can say no more than that. I repeat, that I agree with him in the principle which he lays down; and so far as it is possible to do so, consistently with my duties in various respects, I will endeavour to give effect to it.

Mr. T. BRASSEY: I suggested particularly the reduction of the first reserve ships.

Mr. W. H. SMITH: I will bear the suggestion in mind; but my hon. Friend will understand that it takes a little time to make an iron-clad effective, and that it would be very undesirable that the first reserve ships, on which we should fall back for the particular reserves which my hon. Friend the Member for West Norfolk (Mr. Bentinck) desires to see so effective, should not be ready to take the seas in case of emergency. My hon. Friend the Member for Buckingham (Mr. E. Hubbard) has referred to the case of the old lieutenants. I admit, with very great regret, that there are a number of old lieutenants on the List who have done good service, and whose pay has not been progressive. I cannot make any promise to improve their position, though I feel that their case, like that of many other officers in the Navy and also in the Army, is certainly a hard one. I wish it were possible to provide that promotion should take place more rapidly than it does at the present time; but, under existing circumstances, that cannot be done. Passing over the remarks which fell from the hon. Member for Penryn (Mr. D. Jenkins), I come to those of my hon. and gallant Friend the Member for Devonport (Captain Price), who has addressed rather a warm appeal to the Admiralty and the Government on behalf of warrant officers in harbour ships. Now, it does happen that their position has been improved within the last few months. Sea pay is now granted to all warrant officers in the First Reserve, and in gunboats attached to that Reserve, and is refused only to those who are in what are really *bonâ fide* harbour ships, where, of course, the work to be done is very much less than in ships of the First Reserve. He also thought that there should be some provision respecting the granting of commissions to these officers. Provision is now made that, in case of any gallant action under exceptional circumstances, it should be in the power of the Admiralty to give them commissions; and undoubtedly that power would be exercised by the Department where the circumstances were such as to call for its exercise. I am not able to follow my hon. and gallant Friend into the question of the carpenters and engineers. It is our desire, as far as possible, to appoint efficient officers who should become accustomed to the duties they would have to discharge in ships which are about to be commissioned, and with that view engineers are appointed, as my hon. and gallant Friend knows, a long time before the ship can possibly be in commission. But, of course, there must be a limit to that practice. It would, if carried too far, come to this—that every ship in the Navy would have a complement of officers which would not be very much less than that of a ship in actual commission. All I can say is that, so far as the interests of the Navy itself are concerned, there shall be no lack of attention or care paid to the points which my hon. and gallant Friend has raised. Reference has been made by the hon. Member for Plymouth (Mr. Sampson Lloyd) to the condition of certain workmen in the Dockyards. We have thought it right to propose an increase of pay to the Constructors in the Dockyards. We are fully aware of the value of the work which these gentlemen do for us; and we also approve highly of the zeal of the foremen who have to carry out the instructions which they receive. They also will receive some slight advantage under these Estimates. The hon. and gallant Gentleman the Member for Kincardine (Sir George Balfour) has referred to the charge which is imposed upon the Army Estimates in providing armaments for Her Majesty's ships; and has complained that the whole cost of the Navy is not shown under the present system. I fully admit it, and I go along with him in the principle which he desires to lay down. It would be most desirable that the whole cost of a Service should, if possible, be shown on the Votes for that Service. It is true that the Army provide the armaments for Her Majesty's ships. But, on the other hand, the Navy provide the transport for the Army; and the principle was laid down some years ago that the Department which incurred the expense—no matter for what other Department it was incurred—should bear that expense upon its Votes. That principle is capable of modification, and I have no doubt that the Committee on Public Accounts, which will have this question under their consideration, may be able to suggest a mode by which proper control over public money may be had, and that the entire cost of the Service may be charged upon that Service alone which nominally incurs it. I have no objection to the Navy bearing the costs of its own armaments and its powder and shot; but we are in the hands of the Army for that purpose. The War Department supply us with the armament and the ammunition, and, in present circumstances, it is impossible for me to state to the Committee the true cost of that service which they do for us. My hon. and learned Friend the Member for Chatham (Mr. Gorst) has discovered a new grievance. Probably my hon. and learned Friend would be very wretched if he had not got one or two grievances to carry about with him; but I really hope that this new grievance, which he has stated for my consideration, will turn out not to be one after all. The position of the Marines was some time ago very carefully considered, and we found that, taking the whole round of service on shore and afloat, the marine was, on the whole, better off than the soldier, even under the present regulations of increased reserve pay in the Army. I am alive to the importance of securing good engineers for Her Majesty's Service, and nothing which, in my judgment, will really tend to that result shall be wanting on my part. But it must be understood that a great deal has been done in this matter; and I am sometimes tempted to say that, when there is a real desire—as there is in this instance—to deal most favourably and equitably, and to pay a fair price for good service, it is well occasionally to leave the case of a class which has often been advocated in this House alone for a little time. I venture, therefore, to appeal to hon. Gentlemen, who have the interests of the engineers at heart, to leave their case alone for a little time. Let us exercise our own judgment upon it, and see what is really necessary to be done. I shall not shrink from doing what I consider to be my duty after proper consideration and attention have been paid to the subject. My hon. Friend also referred, as did likewise the hon. Member for Reading (Mr. Shaw Lefevre), to the arrangements as to the admission of naval cadets. Now, early in the evening, I stated that I had been only a short time in office, and I am not prepared, after four or five months' experience, to come down here and say that all that my Predecessor has done is wrong, and that I know a great deal more than he about the constitution of the Navy and the training of its officers. I go a long way with my hon. Friend in the view he expressed in favour of competition. A really good competition between persons and things which can properly be put in competition with each other is a healthy thing for the public service. But there is a great deal to be said on this question of naval cadets, and of the training to which they are to be subjected; and I am not prepared off-hand to say what is the best system under which young officers in the Navy can be trained, or when and in what circumstances they should be put on board ship. Therefore, I must ask hon. Gentlemen on both sides of the House for a little delay, and to pardon me if I refrain from expressing any opinion on the question at the present moment. The time may come when I shall feel it my duty to do so. With respect to the question which has been put to me by my hon. and learned Friend (Mr. Gorst) about the *Ajax* and the *Agamemnon*, I have to say that, as at present advised, the Admiralty do not intend to alter the designs of those ships. We will adopt and carry out, as far as we are able to do so, the views of the Committee on the *Inflexible*; but we do not think it would be desirable to increase the beam of the *Ajax* and the *Agamemnon*. My hon. and learned Friend next referred to the deficiency of machine sheds at Chatham. It is true that many of the basins are without machine sheds immediately adjacent to them; but I am not prepared rashly to incur any large expenditure in providing such sheds. We shall proceed very gradually in that matter, and in the interval very useful and good work may be done in what are called the repairing sheds at Chatham. We fitted the *Alexandra*; the *Belleisle*, the *Rupert*, the *Monarch*, and other large ships are there at the present time, and very good service has been done. Additional machinery is being supplied, and the necessary working sheds will be added from time to time at moderate cost; but I am myself averse to incurring any very large and magnificent expenditure on costly machinery, which might turn out afterwards not, on the whole, to have been the best thing to have done. The hon. and gallant Member for Gravesend (Captain Pim) has spoken of the necessity for more gunboats. I agree with him that they are most useful and necessary, and we are building them not probably to the extent which he would desire; but, in the programme for this year, there are two composite gunboats, seven iron-clad gunboats for river service, and there are other gunboats which will be taken in hand if circumstances permit. [Captain PIM: Are they sea-going?] There are four sea-going gunboats. I must refrain from from following my hon. and gallant Friend in his estimate of the consequences of a combat between either four or 12 gunboats and the *Devastation.* I do not think it is necessary that I should pit my knowledge of naval warfare against that of my hon. and gallant Friend; but I have a strong impression that the *Devastation* would steam away from the gunboats very quickly. I admit the great importance of an ample Naval Reserve, and no steps which I believe to be necessary to secure such a reserve will be wanting on my part; but I am unable to follow my hon. and gallant Friend in the view which he takes at the present moment, and I must refrain from expressing any opinion until I hear the more complete statement which it seems to be his intention to make at a later period of the Session. My hon. Friend the Member for West Norfolk (Mr. Bentinck) is a little severe upon me, because I did not answer the Question which he put to me on the previous night about the reserve of iron-clads. I am not able now to answer the Question which he has put. There are ships in reserve, but I do not think it is necessary or desirable that I should state—nor am I in a position accurately to state—to the Committee what that reserve is. If my hon. Friend were to demonstrate—as he probably would do to his own satisfaction and that of many other hon. Gentlemen in this House—that the reserve is insufficient, the only result of that would be that he would show that we did not possess ships which it would take three or four years to build. If there be such a deficiency of ships, it cannot be remedied except in the manner in which it has been done in the last few weeks—namely, by purchasing ships. But, Sir, the naval force of this country has been in the course of re-construction. My hon. Friend has spoken of the old times when if 60 sail of the line left our shores, there were 300 or 400 other ships ready to take their place. But all the old vessels are gone, because the circumstances in which they were used have gone. Wooden sailing ships were superseded by wooden steamers, which again have been superseded by iron-armoured ships, and iron-armoured vessels are being superseded by still stronger armoured ships. It is impossible to obtain such a reserve, even in a country like England, as that which we possessed many years ago; and had such a thing been attempted some years ago, the consequence would have been that we should have had a reserve of ships which would, in a large degree, have become obsolete, and which would now require to be entirely replaced by ships of a still stronger and more powerful character. I do not know that I can pursue the subject with any practical result, or that I can state more than that I am as conscious as my hon. Friend can be of the necessity of maintaining the defences of this country up to the full amount of strength which the nation can afford, and which its productive power can supply. My hon. Friend has referred to the necessity of having ships which can be handled under canvas. I entirely agree with him except in this—that I would not put a ship under canvas that would be less efficient and less useful for the purpose for which she is intended — that is to say, to fight — by reason of her canvas. We must have fighting ships, possibly of the *Dreadnought,* the *Thunderer,* and the *Devastation* type; because we require them for those great occasions of battle when our ships would have to meet other ships of the strongest character. But we also want cruising ships, in which young and hardy sailors can be trained, and in which all the skill of English seamanship can be developed. Therefore, while I admit that cruising vessels are necessary, I am bound to say frankly to my hon. Friend that as at present advised

—and my Colleagues agree with me in the course I propose to take—I do not propose to put masts and yards fully rigged into ships which are not suitable for them, and where they would impair the fighting qualities of the ships. Many of the most powerful iron-clads are of that type. I hope I have answered all the Questions that have been put to me. If I have failed to do so in any respect, it has been quite unintentionally. I trust the Committee will now permit the Vote to be taken, and proceed to the consideration of the other Votes before them.

MR. BENTINCK wished to correct a misapprehension on the part of the First Lord of the Admiralty, who seemed to think he had suggested that masts and yards should be put into iron-clads which were not adapted for handling under canvas. He had made no such suggestion, being fully alive to the absurdity of such a proposal. What he had suggested was a description of vessel which, while retaining the properties of a fighting ship, should be independent of her steam machinery, and capable of being handled under canvas.

MR. SAMUDA also wished to make an explanation. It appeared to him that the right hon. Gentleman and he were partly agreed as to the amount of tonnage under construction. So far as he (Mr. Samuda) could make out, there was a deficiency of 4,400 tons in the building of ships in the Dockyards during the past year as compared with the number of tons which, according to the speech of the late First Lord of the Admiralty in March last, were intended to be built during the past year; and in the case of ships built by contract there was a deficiency of about 2,500 tons—that was to say, there was a deficiency altogether of 7,000 tons. He should be very much obliged if, when they came to the Vote bearing on this matter, the right hon. Gentleman would correct him if he was wrong in his estimate.

MR. W. H. SMITH said, that he had, in his opening statement, explained how it was there was an increase in the contract liability. With regard to the question of tonnage, the fact was that 14,240 tons of hull were to have been built in the Dockyards, and 11,538 tons were actually built. 4,408 tons were to have been built by contract, and 4,060 tons were actually built. The total number of tons to be built was 18,648, and the total actually built was 15,598; so that the deficiency in building was 3,050 tons altogether.

MR. NEWDEGATE: Mr. Raikes, the opening of this Committee was preceded by the appearance on the Paper of Business of a number of Notices relating to the appointment of 18 Roman Catholic chaplains to the Fleet. The right hon. Gentleman the First Lord of the Admiralty has, I am glad to hear, not accepted these proposals in full; but has, which I regret, given a pledge that something of the sort contemplated by those Notices shall be done. I was not fortunate enough to be in my place when the right hon. Gentleman alluded to this subject; but I have asked several hon. Friends of mine who were present, what it is, specifically, that the right hon. Gentleman has engaged to do, and not one of them could tell me. I have known many strange things done in this House. I have known the balances on various Votes used so that money voted for one purpose has been applied to another; I have known appointments made, and payments undertaken, before the House had any information on the subject; no details being furnished until the Appropriation Bill had been placed in our hands, or rather left in the Library. I have so much confidence, however, in the right hon. Gentleman at the head of the Admiralty, that I do not believe he would resort to any of those devices in order to escape from submitting to the House a proposal, which is certainly one of considerable importance. Still, Sir, I think it my duty to ask the right hon. Gentleman in what manner this new item of expenditure, which seems to be an afterthought, is to be submitted to the House, and when?—because the Notices that appear to have led Her Majesty's Government to pledge themselves to this new undertaking are very singular. There are upwards of 40 Notices in all, and the great part of them are in such direct violation of the Constitutional rule by which this House is governed, that they could not have been put from the Chair. But they have been for several days on the Notice Paper of this House. They have been published in the newspapers, and have attracted a great deal of public attention; and no wonder, for it appears that 13 hon. Members belonging to one section—the

Home Rule section of the House—have undertaken to propose to frame Estimates, which is the sole function of Her Majesty's Ministers. They have proposed to burden the taxpayers of this country with an additional charge upon the revenue, which they have no right to propose. ["No!"] I dare say that hon. Members who cry "No" think to escape from that conclusion by the very clever device which is to be found in these 40 irregular Notices. They propose to increase the staff of the Navy by the addition of 18 Roman Catholic chaplains; and then they propose to reduce certain other Votes, making a slow economy in one direction whilst they propose extravagance in another. That kind of set-off will not do, and, least of all, in Notices so grossly irregular as those to which I refer. ["Oh, oh!"] I repeat that they are grossly irregular. I have taken the trouble of ascertaining from the highest authority in this House whether my opinion was not correct; I never remember any previous attempt on the part of any section of this House to supersede Her Majesty's Ministers in that which is their exclusive function. This is the first instance in which I have seen such a deliberate attempt by any considerable section of the House. I find that the following hon. Members are chiefly responsible for this irregular attempt:—The hon. and learned Member for Louth (Mr. Sullivan), the hon. Member for Galway (Mr. Mitchell Henry), the hon. Member for Limerick (Mr. O'Shaughnessy), the hon. and learned Member for Kildare (Mr. Meldon), the other hon. Member for Galway (Major Nolan), the hon. and gallant Member for Waterford (Major O'Gorman), the hon. Member for Mayo (Mr. O'Connor Power), the hon. Member for Youghal (Sir Joseph M'Kenna), the hon. Member for Athlone (Mr. R. Power), the hon. Member for Dublin (Mr. M. Brooks), the hon. Member for Wexford (Mr. O'Clery), the hon. Member for Carlow (Mr. Owen Lewis), and the hon. Member for Dungarvan (Mr. O'Donnell). These are the hon. Members who are responsible for these irregular Notices.

Mr. PARNELL: I rise to Order. ["Order!" "Chair!"] I beg the hon. Gentleman's pardon. ["Chair!" "Order!"]

The CHAIRMAN: Order, order! The hon. Gentleman the Member for North Warwickshire is at present in possession of the Committee. The hon. Member for Meath will have an opportunity of addressing the Committee in his turn.

Mr. NEWDEGATE: These are the 13 hon. Members whose names appear on the Order Book as responsible for the Notices in the sense of the first Notice, which is given by the hon. and learned Member for Louth, and in these terms—

> "Mr. Sullivan.—On Navy Estimates, Vote 1, Sub-head A, Item No. 1, leave out 'one hundred and forty-eight in number,' and insert 'one hundred and thirty in number, and for eighteen Catholic chaplains to serve with flagships.'"

These Notices have been skilfully drawn, and some of them propose an addition, not in the same terms, because when once a Notice has been put from the Chair and negatived it cannot be repeated; and it appears to me that the variation in the terms of those Notices indicates an intention to obstruct Supply, for they have been so varied that, though pointing to the same object, they might—if not held to be totally inadmissible by the House—be put *seriatim* to the Committee. I have, Sir, now endeavoured to explain to the House this very exceptional announcement. I have seen it affirmed in Roman Catholic newspapers that the announcements of these Notices have been eminently successful; for, whereas Her Majesty's Government had no intention of increasing the number of Roman Catholic chaplains in the Navy, in consequence of the announcement of these Notices, which was made several days ago, the Cabinet had taken the subject into consideration, and that a large measure of this demand is now to be conceded. I cannot help looking, therefore, upon the intimation, which I hear has been given by the right hon. Gentleman the First Lord of the Admiralty, as an announcement that the Government have, upon second thoughts, and as declared in these newspapers, under political pressure, varied their Estimates, for the purpose of increasing the number of Roman Catholic chaplains in the Navy. My desire and object in rising on this occasion is that this Committee should have these second thoughts of Her Majesty's Ministers distinctly and specifically submitted to the House under the Order for Supply, or in some form which shall prevent the

House from finding itself committed, when the Appropriation Bill is presented to us, to the employment, it may be, of a large number of officials whom they might not deem necessary to the Service, and of a character that they might not consider calculated to improve the *morale* or discipline of the Navy. It happens that there is an analogous case to this. Last year the House was pleased to pass a Prisons' Act, the movement for which originated in 1862, in an attempt to introduce Roman Catholic chaplains into all the prisons of this country; that was a proposal made by the section of the House from which these present Notices have emanated, and it was analogous to what is now contemplated by these Notices, and I fear sanctioned, to some extent, by the First Lord of the Admiralty. We now know from the proposed rules for the prisons recently submitted to us by the Secretary for the Home Department, under the Act of last Session, that he proposes to collect all the Roman Catholic prisoners into some few prisons, in order to avoid inflicting upon the managers of the county prisons generally the cost of maintaining and the trouble of controlling a Roman Catholic chaplain in each prison.

THE CHAIRMAN: The hon. Member for North Warwickshire is not in Order in digressing from the present Vote to the discussions on the Prisons Bill.

MR. NEWDEGATE: I should be sorry to say anything that is not strictly in accordance with the rules of debate; but as the Rules and Regulations under the Prisons Act have very recently been submitted to the House, I did not think that my allusion to that document would be held irrelevant; for the position of a Roman Catholic chaplain in a prison must be somewhat analogous to the appointment of a Roman Catholic chaplain in a ship, since the crew of a ship are virtually imprisoned when the ship is at sea. The attempt to avoid the difficulty to be apprehended from Roman Catholic chaplains in prisons suggests the good sense of the reason that Roman Catholic chaplains have not hitherto been appointed to the Navy; for it has always been understood that such appointments were likely to interfere with the discipline of Her Majesty's ships of war, and very recently an hon. Gentleman opposite, alluding, in the course of this debate, to the suggestion that the number of Roman Catholic chaplains should be increased, said that he saw great difficulty in having two chaplains on board each ship; and it occurred to me that the difficulties which have notoriously arisen in the management of the Roman Catholic chaplains in the gaols would probably find a parallel on board a ship of war, the crew of which are as completely confined as if they were in a prison during the period that the ship is at sea. [Admiral Sir WILLIAM EDMONSTONE: No.] And if difficulties have been experienced in the prisons, I think it may fairly be anticipated that the like will arise on board the ship. [Sir GEORGE BOWYER: No.] These interruptions have been repeated, until they appear to have become customary, when any attempt is made to oppose any proposal favourable to the progress of the Roman Catholic Church. The hon. and learned Baronet the Member for Wexford, when he has no other answer to give, is apt to interrupt, whoever is speaking. He has some very peculiar habits.

MAJOR NOLAN: I rise to Order, Sir. I ask whether this reference to the hon. and learned Member for Wexford is applicable to the question under discussion? The hon. Member for North Warwickshire seems anxious to discuss the habits of the hon. and learned Baronet the Member for Wexford.

THE CHAIRMAN: The Question is hardly one of Order. I did not understand the hon. Member for North Warwickshire to allude in an offensive sense to the hon. and learned Member for Wexford.

MR. J. COWEN: Would not this discussion be more appropriate if it took place when a distinct Vote is proposed to the Committee? At present, as it seems to me, the question is not before us.

THE CHAIRMAN: The hon. Member for Newcastle asks whether this discussion would not be more in Order when a substantive proposal is made to the House; but I do not know that it is for me to say whether it will be more in Order at that time. The right hon. Gentleman the First Lord of the Admiralty, having touched upon this subject in moving the Vote for the number of men for the service of the Navy, I have not felt justified in stopping the hon. Member for North Warwickshire in the observations which he has made. It is for him to consider whether in his discretion he should make them.

Mr. NEWDEGATE: I am anxious to prevent a proceeding which I have seen adopted in this House on some previous occasions—the engagement or employment of officers and men, without the names or character or the number of those officers being submitted to the House, which all must admit would be an evasion of the Rules of the House. As for these interruptions, they are but too characteristic of the manner in which any opposition to such proposals as these are habitually treated by the Home Rule section of the House. I was not about to utter anything unfairly discourteous to the hon. and learned Baronet the Member for Wexford. What I intended to say was this—I have known that hon. and learned Baronet in debate to contradict statements of mine which I have made from personal knowledge of the facts; and when the hon. and learned Baronet found that those contradictions were not accepted by the House, what was his excuse? He said that his Bishop had told him so.

The CHAIRMAN: The hon. Member for North Warwickshire is now adverting to matter which does not refer to the question before the Committee.

Mr. NEWDEGATE: I bow to your decision, Sir; but it is rather difficult to deal with these systematic interruptions. My object in addressing the Committee has been this. Proposals are on our Notice Paper which are totally irregular, have been there for days, and stand there now; but those on whose responsibility these Notices stand avoid putting them to the Committee. I have no right to put a hypothetical case to you, Sir; but debating this matter has shown that if any one of these Notices had been proposed, you could not have put it from the Chair. These irregular Notices are well understood out-of-doors to be a mode of bringing pressure to bear upon Her Majesty's Ministers for the purpose of attaining an object which, I regret to hear, the right hon. Gentleman at the head of the Admiralty has felt himself compelled, in a very considerable degree, to concede. And yet, if these additional appointments of Roman Catholic chaplains be made, nothing is more clear than that these appointments will not be the result of the original judgment of the Cabinet, or of the right hon. Gentleman at the head of the Admiralty; but will be made in deference to the suggestion of a section of this House who are peculiarly interested in obtaining Government employment for ministers of their own denomination. ["No, no!"] It appears to me that there can be no other interpretation put upon what is understood to have occurred; for not one of those hon. Gentlemen who have given these Notices has risen in his place and attempted to justify the course he has pursued, by showing that there is any necessity whatever for the appointment of these 18 Roman Catholic chaplains—not one. I think, therefore, that we are proceeding under circumstances which require that this Committee should have specific information submitted to it, whilst the House is yet in a position to pronounce an effective judgment on the subject of a proposal that cannot be regarded in the light of being the original proposal of Her Majesty's Government, and which must stand as a concession to a section of religionists who have banded themselves into a well-known Party in this House.

Mr. W. H. SMITH: I trust this will not be the commencement of a debate on this subject, because if the hon. Gentleman had been in his place when I made my statement, I am perfectly certain he would not have delivered the remarks which he has done. It is a pity that hon. Members should come down to the House, not having listened to Ministerial statements, and raise questions which, I venture to say, they are not justified in raising. I stated — and I am sure the House will not wish me to repeat it—what the Government were prepared to undertake in this matter, and in what mode they proposed to fulfil their engagement, and I undertook to give the House an opportunity of expressing an opinion upon it. I am exceedingly anxious to get on with the Estimates, because the public service requires that they should be agreed to; and I therefore hope no further debate will be thought necessary on this subject. I think I may say it will not be found that I have taken any step in this matter which is not in accordance with the promise I have made.

Mr. NEWDEGATE: A pledge has now been given to the House by the right hon. Gentleman which I failed to understand had been given before—

that this scheme for additional Roman Catholic chaplains will be submitted to the House, in such form and under such circumstances, as will ensure an opportunity for the House to express an opinion thereupon.

Vote *agreed to.*

(2.) £2,702,240, Wages, &c., to Seamen and Marines.

MR. GORST inquired what was the total cost of the Island of Ascension, and whether the right hon. Gentleman would consent to make a Return showing the different items of expenditure? The question was, whether the benefit derived from the Island of Ascension was commensurate with its cost?

MR. W. H. SMITH said, he should be perfectly ready to give the Return the hon. Member asked for, provided he would move for it.

Vote *agreed to.*

(3.) £1,146,192, Victuals and Clothing for Seamen and Marines.

CAPTAIN PRICE wished to know whether there was any profit or loss upon the item of seamen's clothing? About £300,000 was voted for the supply of clothing to the Seamen and Marines, and the credits for clothing were put down at about £200,000. Were they to infer that the difference between these two amounts represented a loss to the Government?

MR. W. H. SMITH said, his own belief was that there was a considerable loss upon the item of seamen's clothing —certainly there was no profit.

Vote *agreed to.*

(4.) £200,760, Admiralty Office, *agreed to.*

(5.) £207,510, Coast Guard Service and Royal Naval Reserves, &c.

CAPTAIN PIM said, he wished that this Vote might be postponed, and he begged his right hon. Friend the First Lord of the Admiralty to do so. He was prepared to show that in reality we had no Naval Reserve. Not one sailor of this so-called Reserve could be spared in time of war from our merchant ships, which were at present mostly manned by foreigners.

MR. W. H. SMITH hoped the hon. and gallant Gentleman would allow the Vote to be taken to-night. There would be full opportunity hereafter to raise any discussion which might be desired. It was understood that, with one or two exceptions, he was to be allowed to take all the Votes to-night.

MR. T. BRASSEY trusted the House would have the Report of the Admiral Superintendent of the Naval Reserves in its possession before entering into a detailed discussion of the subject.

CAPTAIN PIM consented to accede to the suggestion that the Vote should be now agreed to, leaving the discussion till a future period.

Vote *agreed to.*

(6.) £106,041, Scientific Departments.

MR. GORST drew attention to the contribution made by the Admiralty to the Greenwich Hospital funds for the use of the buildings appropriated to the Naval College. This College was a very extensive affair, and all the Admiralty paid for the use of the buildings at Greenwich Hospital was the paltry sum of £100, which was totally inadequate to represent anything like the value which these buildings were to the Admiralty.

MR. BRUCE entirely agreed with the observations just made. Some time ago he brought this matter before the House, and the Admiralty then consented to contribute £100 a-year; but that sum was entirely inadequate, and therefore, he hoped that the Admiralty would see their way to increasing it.

Vote *agreed to.*

(7.) £76,740, Victualling Yards at Home and Abroad.

MAJOR NOLAN protested against the enormous amount of money spent in England as compared with the sister country. The only Vote fairly distributed amongst the three countries was the Coastguard. But of all the other Votes the overwhelming proportion was spent in England. This was specially noticeable in the case of the Victualling Vote. And both in respect to this and other Votes the greatest trouble seemed to be taken to localize in England the expenditure which might be diffused throughout the three countries. In Cork Harbour they had a harbour inferior to none in the country, and it ought to be utilized for Imperial purposes. Not only was this due as a matter of justice to Ireland, but it would have the happiest effect in exciting and maintaining the martial spirit of the country.

Mr. A. F. EGERTON said, it was necessary that these victualling establishments should be near the great shipbuilding yards, and the consequence was that there were large victualling establishments at Portsmouth and Plymouth. At present he did not think it was possible to do more for Ireland.

Vote *agreed to.*

(8.) £66,400, Medical Establishments at Home and Abroad.

Dr. WARD asked the right hon. Gentleman if he would state what was the present condition of the Medical Staff, and was it not a fact that there was a large number of vacancies?

Mr. W. H. SMITH was not aware that there was any deficiency of naval medical officers, and he could not speak too highly of their services.

Vote *agreed to.*

(9.) £21,139, Marine Divisions.

(10.) £539,115, New Works, Buildings, Machinery, and Repairs.

(11.) £77,230, Medicines and Medical Stores, &c.

(12.) £7,994, Martial Law, &c.

(13.) £134,725, Miscellaneous Services.

(14.) £891,605, Half Pay, Reserved Half Pay, and Retired Pay to Officers of the Navy and Royal Marines.

Mr. VANS AGNEW said, he had a Notice on the Paper in reference to this Vote; but he had no wish to delay the Estimates on the present occasion, and therefore he should not bring the subject forward.

Vote *agreed to.*

(15.) £790,297, Military Pensions and Allowances.

Lord ESLINGTON said, the force of Pensioners was the most valuable part of their Reserves, and he was anxious to find out the number of effective Pensioners who would be fit for service if required. As the Estimates were now framed, it was difficult to ascertain this fact. There was also another matter to which he should wish to draw attention. He had seen a statement in the newspapers that a foreign ship had left the River Thames, the main portion of her crew consisting of Naval Pensioners. The ship was a Japanese one, and she was commanded by English officers. He understood that the Pensioners, after the Coastguard, formed the most valuable part of our Naval Reserve, and he should wish to know what was the number of Pensioners available for active service, and the age up to which they might be called upon in case of emergency? He should also like to have some explanation as to the item of £30,902, which constituted a large increase in the amount payable in the shape of pensions to Seamen and Marines; and as to the circumstances under which a Japanese iron-clad had recently left our shores manned chiefly by Naval Pensioners?

Mr. SHAW LEFEVRE was glad the noble Lord had drawn attention to the Vote, because it had very seriously increased within the last few years; and because, from inquiries which he had some time ago made on the subject, he was led to the conclusion that it was likely to go on increasing for the next 20 years, although the number of seamen in the Navy remained the same. The fact was that those pensions were given to the men at the comparatively early age of 38 or 40, and that many of them continued to receive them for a great number of years, even though they might have obtained employment, as the noble Lord had pointed out, in the service of some foreign country. Naval Pensioners, too, were very frequently taken on as labourers in our Dockyards; and it seemed to him a matter for serious consideration that there should be men in the receipt of high pensions from the State while actually being employed and paid by the State in other capacities. He was also of opinion that the pensions bore too large a proportion to the rate of pay; and it would, he thought, be a wise and economical arrangement to increase the wages, especially of men who had been five or six years in the Service, with a view to the prospective reduction of the scale of pensions. He did not know any occupation in which a labouring man could get so good a pension at so early an age.

Mr. T. BRASSEY expressed his entire concurrence in the remarks which had been made by the last speaker.

The rate of pension was, undoubtedly, excessive as compared with the scale of wages paid to our seamen, and was not, he believed, appreciated at its true value—at all events, by the younger men. Training was expensive. It cost the country not less than £300 to train a lad and to make him an able seaman; but after that expense had been incurred, and he was sent out in one of our ships to a foreign station, he was often tempted to desert. He had always been of opinion that to give such high pensions to men in the prime of life was a questionable policy, and he hoped it would receive the careful consideration of the Government. It was no uncommon occurrence, he believed, for a seaman, on getting his pension at the age of 38, to enter the Custom House Service, from which he might retire, at the end of 20 years, with a second pension. That was a state of things which ought not, he thought, to be allowed to continue.

MR. W. H. SMITH said, the Committee was greatly indebted to his noble Friend the Member for South Northumberland (Lord Eslington) for having called its attention to a question of great importance. The increase of the Vote, as hon. Members were probably aware, was due to the conditions under which our seamen were enlisted. The continuous-service system had, however, been of great advantage to the country; but it was only now that we were realizing one portion of its cost. It was a fact, as had been stated, that a seaman might retire from the Navy at the age of 38 with a very good pension and, if he pleased, take some other employment. Now, he should be glad if it were possible to induce some of those men to remain in Her Majesty's Service a little longer. They would be very useful, for some portion of the time, between the age of 38 and 55, and would make excellent petty officers; but he was, of course, aware that it would be necessary to increase their pay, in order to induce them to remain. His noble Friend asked how many Pensioners could be called upon for active service? There were, he believed, only 850 enrolled Pensioners who could be called upon to serve except in time of war, and then others also might be called upon; but he did not exactly know what was the number. The age up to which they were liable to serve was 65. The Pensioners, he might add, were no longer under the control of the Admiralty, and had a right to take their services wherever they might think fit. He had, therefore, no power to prevent them from manning a Japanese or any other foreign vessels.

LORD ESLINGTON hoped his right hon. Friend would not object to furnish the House with a Return giving information as to the conditions under which Pensioners could be called upon, in case of emergency, to serve with the flag. If they were to be looked upon as constituting a Reserve, it would be a very dangerous thing to allow them to take service in a foreign ship—it might be permanently. That would be, he imagined, a real violation of the conditions under which they enlisted in our Navy; and he saw no good reason why our Naval Pensioners should not form a body somewhat analogous to the Army Reserve.

SIR JOHN HAY said, that although there was, he supposed, an obligation imposed upon those men to serve if called upon, it would be impossible to enforce it if they could not be found, and there was no condition connected with the receipt of their pension by which they were bound to remain in the country. As to what had fallen from his right hon. Friend the First Lord of the Admiralty, with respect to retaining seamen in the Navy as petty officers for a considerable time longer, he thought there would be great difficulty in carrying out such a proposal. Under the present terms of engagement boys were obtained who were trained for the Navy from the age of 14 to 18. They then served up to the age of 28 their first 10 years as seamen. Now, no man was fit to fill the position of petty officer until he was 25, or perhaps a little older; and it was found, in practice, that few men were willing to take petty officers' rating at 26 or 27, when so short a time remained for the completion of their 10 years' service. If any man were to do so, he would be looked upon by his shipmates of the lower deck as having broken faith with them, and as standing in the way of some one else who might be in a position to draw a petty officer's pay for a somewhat longer time. The difficulty which he had pointed out to the Committee was very well known in the Service to exist; and he had therefore thought it right to bring it under his right hon. Friend's notice. He wished also to suggest to his right hon. Friend the expediency of increasing the pay of petty officers.

Mr. CHILDERS said, a serious omission had unquestionably been made when many years ago the present system of training boys for the Navy was established, under which the men would all be pensioned at 38 years of age, in not providing for their going into a Naval Pensioners' Reserve. How that had happened he did not know; because the existing arrangement had been made long before any one now a Member of the House had been connected with the Admiralty. But be that as it might, there could be no doubt that while in connection with the Army there was a Reserve into which all Pensioners went from the outset, the creation of such a body in the Navy had, up to 1869, been almost entirely lost sight of. Before that year the Admiralty had no hold upon a seaman after he received his pension. He was under no legal obligation, even to give his address. Technically, he believed Naval Pensioners were liable to be called out for active service, not under the operation of statute law, but by the general right vested in the Crown to summon to its service those who happened to be in receipt of pensions from the State. That was a right, however, which it would be difficult and, under some circumstances, it might be dangerous to enforce. Now, what had been done by him (Mr. Childers) in 1870 was to provide that, as to future entries, every seaman, when he got a pension, might be legally and properly called out for active service whenever occasion arose, existing seamen having an advantage with respect to their Greenwich pension if they voluntarily did so. The matter had since not received that amount of attention which, in his opinion, its importance demanded; and he would venture to suggest to the First Lord of the Admiralty the expediency of proceeding, if not this year, as soon as possible, on the basis of the liability of Pensioners to serve when called upon, which was laid down in 1870, so that by that means as efficient a Reserve Force might be secured for the Navy as they now had for the Army. Practically, every well-behaved seaman obtained a pension at the age of 38, and there were, therefore, 15 good years of service left in him, which ought to be turned to account. He hoped, then, the right hon. Gentleman would take the question up as one which was of vital interest to the Navy; and if only 10 years from the present time he succeeded in having enrolled in the Seaman Pensioners' Reserve some 10,000 or 12,000, he would have rendered a service which would be appreciated by Parliament and the country.

Sir GEORGE CAMPBELL was strongly of opinion that if retiring allowances on a liberal scale were granted to officers, seamen, or soldiers, on the condition that they should be available for the service of the country, the money so laid out was well spent. If, however, they were not to be available for that service, to give extravagant pensions to men who had only reached the age of 38 was, he thought, a wasteful expenditure of the public resources.

Vote *agreed to.*

(16.) £284,223, Civil Pensions and Allowances, *agreed to.*

(17.) £210,250, Freight, &c. on account of the Army Department.

Mr. WHITWELL asked whether the whole of the Vote was for the purpose of defraying the charges for the conveyance of troops to the Colonies; and whether the larger portion was not to meet expenses connected with the war now going on at the Cape of Good Hope?

Mr. W. H. SMITH said, that a very considerable portion of the Vote was to meet expenses incurred in sending out troops to the Cape, and bringing them home. There were also charges for reliefs sent to Hong Kong and Singapore; but there was, in reality, no very material increase in the Vote this year. There would be more voyages through the Suez Canal than there were last year, and generally it might be expected, as he was sorry to say that it would be necessary to send the troops in the same direction as the large number was sent last year.

Vote *agreed to.*

Mr. CHILDERS hoped his right hon. Friend would allow him to ask when he proposed to take the Supplementary

Estimates, and when he proposed to take the Greenwich Estimate?

MR. W. H. SMITH said, that the Supplementary Estimates would be taken on Monday. He was not able to say when his right hon. Friend would be able to give him a day for Votes 6 and 10; but he would give ample Notice.

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

LIBEL LAW AMENDMENT BILL.

(*Mr. Hutchinson, Dr. Cameron, Mr. Cowen, Mr. Puleston, Mr. Morley, Mr. Waddy, Mr. Edward Jenkins, Colonel Gourley.*)

[BILL 81.] SECOND READING.

Order for Second Reading read.

MR. HUTCHINSON, in moving that the Bill be now read a second time, said, he would not occupy the time of the House in doing so, as he had fully explained its provisions on a former occasion. He would, therefore, simply move the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Hutchinson.*)

MR. GREGORY said, he thought the Bill dealt with too large and important a subject to be satisfactorily considered at so late an hour; and he felt it his duty, therefore, to move the adjournment of the debate. He also took that course on the ground that the House was taken by surprise, having expected that the Navy Estimates would have occupied the whole of the Sitting.

SIR EARDLEY WILMOT seconded the Motion.

Motion made, and Question put, "That the Debate be now adjourned." —(*Mr. Gregory.*)

The House *divided:*—Ayes 80; Noes 45: Majority 35.— (Division List, No. 48.)

Debate *adjourned* till *Tuesday next.*

COUNTY COURTS JURISDICTION (No. 2) BILL—[BILL 102.]

(*Sir Eardley Wilmot, Mr. Forsyth.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [27th February], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

MR. MORGAN LLOYD said, that although he was opposed to the measure on the ground that it would, in effect, re-establish the system of small Courts, which had been condemned after the experience of some centuries, he should be glad to withdraw his opposition, provided it was agreed that after it was read a second time the whole question of the extension of the jurisdiction of County Courts should be referred to the consideration of a Select Committee.

MR. HERSCHELL moved the adjournment of the debate on the ground that the preceding measure, the Libel Law Amendment Bill, had not received fair play from hon. Members opposite, the hon. and learned Baronet the Member for South Warwickshire (Sir Eardley Wilmot), the promoter of the Bill now before the House, having seconded the Motion for the adjournment of the former debate.

MR. J. COWEN seconded the Amendment, and said the measure in question was opposed merely because it came from that—the Opposition—side of the House.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Herschell.*)

SIR EARDLEY WILMOT said, that his only reason for seconding the Motion for the adjournment of the debate on the Bill which had been referred to was because he did not believe so important a measure could receive proper consideration at that time. He denied altogether that he had acted from the motives imputed by the hon. Member for Newcastle to hon. Gentlemen sitting on the Ministerial side; for, as regarded the County Courts Bill, it had been fully understood that, with the consent of the Government, the other two Bills, proposing to extend the jurisdiction of the County Courts, together with his own, should be read a second time, without discussion, and referred to a Select Committee: so that he had had no personal interest whatever, as was suggested, in preventing the discussion on the Libel Law Amendment Bill.

SIR CHARLES W. DILKE said, that if the reason assigned by the hon. and learned Baronet opposite (Sir Eardley Wilmot) were correct, it would seem that no private Member could possibly have a chance of passing a Bill through the House, if it were opposed when brought on at half-past 11, on the ground that it was too important to receive adequate consideration at that hour.

MR. SAMPSON LLOYD denied that the former Bill had been opposed because it came from the Opposition side of the House. Some hon. Members on the Ministerial side voted in favour of the Bill.

MR. GREGORY wished to repeat that he moved the adjournment of the debate on the Bill in question from no wish to oppose it, but in order that it might obtain adequate discussion—a contingency which did not to him seem likely at the time.

SIR HENRY JAMES observed, that a very unfortunate misunderstanding had arisen, which was not conducive to the satisfactory conduct of Public Business. Hon. Members were very glad to be able to get their Bills on by half-past 11 o'clock, and it was not often they could be so fortunate. If they were then to be told that the hour was too late to entertain their proposals, what chance could they have of ensuring attention for them? If it was too late then to consider the Libel Law Amendment Bill, it was too late to consider the present Bill now; for if the one Bill affected the state of an important portion of the law of the country, the Bill before the House affected directly a very large class of suitors. In the actual state of circumstances, he thought he could best make peace by urging the acceptance of the Motion for adjournment.

MR. J. G. TALBOT said, he was anxious to disclaim any opposition to the former Bill from political motives. He voted in the division, in fact, without any consideration from which side of the House the Bill proceeded. It was often difficult to know on which side to vote, when suddenly summoned to do so; and one was obliged to take the advice of one's Friends. He wished the Bill to be properly considered. He trusted that opposition to this Bill would not be persevered with, as it was understood that this and others on the same subject were to be referred to the same Committee.

MR. HERSCHELL said, he was quite satisfied with the explanations given by hon. Gentlemen opposite, and was ready to withdraw his Amendment.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

House adjourned at a quarter after Twelve o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 18*th March*, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Bishoprics (43).

Royal Assent—Exchequer Bonds (£1,000,000) [41 *Vict.* c. 7]; House Occupiers Disqualification Removal (Scotland) [41 *Vict.* c. 5]; Glebe Loans (Ireland) [41 *Vict.* c. 6]; Public Parks (Scotland) [41 *Vict.* c. 8].

THE EASTERN QUESTION — RUSSIA AND TURKEY—THE TREATY OF PEACE.—QUESTION.

EARL GRANVILLE: My Lords, I wish to ask the noble Earl the Secretary of State for Foreign Affairs, Whether he can confirm the announcement of the ratification of the preliminary Treaty of Peace between Russia and Turkey; and also whether he can state the time at which Her Majesty's Government expect to receive the terms of that Treaty?

THE EARL OF DERBY: My Lords, as to the first part of the noble Earl's Question, I can answer it in the affirmative. As to the second part, I should prefer to defer my answer till to-morrow.

BISHOPRICS BILL.

(*The Lord Steward.*)

BILL PRESENTED. FIRST READING.

EARL BEAUCHAMP, presenting a Bill to provide for the foundation of four new Bishoprics in England, said, the measure he had to introduce was similar to that which was introduced in the other House of Parliament last year, and was received with favour, but which, owing to the pressure of Public Business, the Government had to withdraw after a second reading. In one sense that withdrawal might not have been a disadvantage, because more time had been thereby given for the consideration of the proposal which the Government made to Parliament. In such a case he thought that when a Bill had been dropped, after having made some progress in one House of Parliament, it was desirable, when it was re-introduced, to bring it forward in the House which had not, in the first instance, considered it. The general subject of an increase in the Episcopate had been so long under discussion that it was unnecessary for him to detain their Lordships in showing that the spiritual wants of large and rapidly increasing populations rendered such an increase not only desirable, but necessary. In 1847, owing to the dissatisfaction of the Clergy as to the provision for episcopal superintendence in certain parts of the country, a Royal Commission was appointed, which, among others, recommended that the See of Manchester should be founded; and Lord John Russell stated in the House of Commons that the Royal Commission would finally report in favour of three other new Sees —namely, Bodmin, St. Albans, and Southwark. Whatever the motive of it, there was considerable opposition in the House of Commons to the creation of the See of Manchester. Ostensibly that opposition was caused by the application to the new Bishopric of funds appertaining to the Ecclesiastical Commissioners. That objection in no way applied to the proposal he was now about to submit to their Lordships—the Bill proposed no encroachment on the common fund of the Ecclesiastical Commissioners. But, whatever the cause of the opposition, the Royal Commission did not report in favour of the founding of the three other Bishoprics named by Lord John Russell. In 1852 the Government of Lord Derby appointed a Royal Commission on Cathedrals, and the Commissioners were instructed to consider how far cathedral revenues might be made available for the erection of new Sees. That Commission collected very valuable information; but for some time the matter was allowed to rest. In 1862, at Wycombe, the noble Earl the present Prime Minister made these observations in reference to an increase of the Episcopate—

> "I am in favour of, not of any wild, indiscriminate, or rashly adopted, but, on the contrary, of a moderate and well-considered extension of the Episcopate. And I form my opinion of the advantages that would arise from an extension of that character from the consequences of the extension of the Episcopate in our Colonies, which have been signal, and to a considerable degree upon the consequence that have resulted from the establishment of two new diocese in England."

What was required, therefore, was that it should be shown that the present proposal was a well-considered and moderate one. The experience of the Bishoprics created—Ripon and Manchester—and of the Bishoprics founded in the Colonies was hopeful; and the late Lord Lyttelton, whose name could never be mentioned in their Lordships' House without respect, and other noble Lords who had devoted much attention to ecclesiastical matters, evinced a warm interest in this question. By the Bill before their Lordships no draft would be made on the funds in the hands of the Ecclesiastical Commissioners; nor did it propose to reduce the income of any of the existing Sees of England and Wales below the minimum of £4,200 a-year. When the Sees of Truro and St. Albans were created, £3,000 per annum was the sum fixed for their endowments; but he thought it unwise to have any great discrepancy between the old Sees and the new; and, after consideration, the Government were of opinion that the endowment of each of the four Sees which it was proposed to create under this Bill should not be less than £3,500 a-year. It was proposed that the endowments should be raised by public contributions, and contributions from other Sees. The four Sees proposed in the Bill were Liverpool, Newcastle, and Wakefield, in the Province of York, and Southwell, in the Province of Canterbury. The first of those—Liverpool—would comprise the Hundred of

West Derby, which, according to the Census of 1871, had an area of 243,985 acres, 128,785 houses, and a population of 767,416. Towards the endowment of the See of Liverpool the See of Chester would contribute £300 a-year. There were no public subscriptions immediately in hand to supplement that; but the people of Liverpool were anxious to have an independent See, and there were liberal promises of funds which were expected to be forthcoming from intending subscribers as soon as this Bill passed. The next of the Sees—Newcastle—would comprise the county of Northumberland, which, according to the Census of 1871, had 1,290,312 acres, 66,204 houses, and 386,646 inhabitants; the counties of the towns of Newcastle-upon-Tyne and Berwick-upon-Tweed, and some small adjacent districts. To the endowment of this new See, the See of Durham would contribute £1,000 per annum; and there would probably be a further fund available for its endowment in the Hedley bequest of £25,000—there was, therefore, every probability that a sufficient endowment of the See of Newcastle would be provided at no distant date. The next of the new Sees was Wakefield. It would comprise a portion of the diocese of Ripon, and include within it the towns of Halifax, Burstall, and other manufacturing towns. He was not able to state the exact acreage and population; but anyone acquainted with the West Riding must know that in it there was ample room for additional ecclesiastical supervision. The See of Ripon would contribute £300 a-year to the new See, and promises of subscriptions for its endowment to the amount of £18,000 had already been received. The last of the new dioceses was Southwell, which would comprise the counties of Derbyshire and Nottinghamshire, which together contained, according to the Census from which he had before quoted, 1,182,419 acres, 154,060 houses, and a population of 699,152. Lincolnshire, which would be left to Lincoln, had 1,767,962 acres, 98,903 houses, and a population of 436,599. For the diocese of Southwell, the See of Lichfield would contribute £300 a-year, and that of Lincoln £500, and there were promises of public contributions to the amount of £5,700. He presented this to their Lordships as a moderate and well-considered plan. He believed that no one could say it was extravagant. It compelled no one to contribute; but it allowed those who had at heart the welfare of the Church to follow the example of their forefathers, and to give of their abundance for the improvement of that beneficent organization which for more than 1,000 years had dispensed the ministrations of the Christian religion to the English people.

Bill to provide for the foundation of four new Bishoprics in England—*Presented* (The LORD STEWARD.)

LORD HOUGHTON said, he would reserve his opinion on the proposals of the Bill till the second reading.

Bill read 1ª. (No. 43.)

House adjourned at half past Five o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Monday, 18*th March*, 1878.

MINUTES.] — NEW MEMBER SWORN — Lieutenant Colonel George Arbuthnot, *for* Hereford City.

SUPPLY—*considered in Committee*—CIVIL SERVICE AND REVENUE DEPARTMENTS—SUPPLEMENTARY ESTIMATES, Classes I., II., III., IV. *Resolutions* [March 15] *reported.*

PUBLIC BILL — *Ordered — First Reading* — Marine Mutiny*.

QUESTIONS.

INDIA—THE SALT LAWS.—QUESTION.

MR. POTTER asked the Under Secretary of State for India, When the complete Returns promised last Session, in reference to Salt Smuggling in India, will be laid upon the Table of the House?

LORD GEORGE HAMILTON: Sir, I am afraid it is not in my power to name any particular date on which this Return, which is very voluminous and has to be compiled in India, will reach us. A despatch will be sent out to India by this mail calling attention to the delay in completing this Return, and requesting that its preparation should be expedited.

PARLIAMENT — PRIVILEGE — PETITIONS—SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.

QUESTIONS.

MR. MACARTNEY asked the honourable Baronet the Member for Walsall, Whether his attention has been called to the fact that Petitions purporting to be signed by over 13,000 "working men and other inhabitants of Naas and adjacent districts, in the county of Kildare," have been presented during the present Session against the Irish Sunday Closing Bill; whether he is aware that these Petitions are signed exclusively by men; that the sheets are simply long lists of names without any addresses; that Naas is a town the total population of which in 1871 was a little over 3,000, and that according to the Census Returns for 1871 an adult male population of 13,000 qualified to petition Parliament does not exist within a radius of twenty miles of the town; and, whether the Committee on Public Petitions intend to take any action in this matter?

MR. O'CLERY asked the honourable Baronet the Member for Walsall, as Chairman of the Committee on Public Petitions, Whether it is not the fact that the signatures attached to the anti-Sunday closing Petitions from Dublin, which, out of an adult male population of 70,000, purport to bear the signatures of 90,000 male adults, are very largely in the same handwriting, and that the addresses of the Petitioners are almost entirely absent; and, whether the Committee will be prepared to receive evidence as to the bonâ fide character of the Petitions in question?

SIR CHARLES FORSTER, in reply to the Question of the hon. Member for Tyrone (Mr. Macartney), said, it was true that the signatures attached to the Petitions were very largely in the same handwriting, and addresses were almost entirely absent; but he must remind hon. Members that the affixing of several names by one person was an informality more or less incident to all large Petitions. With regard to addresses, although, no doubt, it was most desirable that they should be given—and the Committee on Petitions by a mark indicated that they attached an enhanced value to Petitions containing them—addresses were not required to be given by any Standing Order, nor did the absence of addresses vitiate Petitions. Therefore, if the matter rested there, the Committee would not have recommended the House to take any further action. With regard to the Dublin Petition, he was bound to say that since the Notice of the hon. Member for Wexford County (Mr. O'Clery), the Committee had been led to believe that other irregularities had occurred. The Census Returns had been referred to; and the Committee were now considering whether it would not be their duty at their next meeting to make a special Report on the matter, which was the only further action the Committee could take. With regard to the Question of the hon. Member—whether the Committee would be prepared to receive evidence as to the *bonâ fide* character of the Petitions in question—the Committee had no power to take any evidence unless on special reference by the House. It remained, therefore, for the House, on the presentation of the Report, to say whether they should take such a course.

LORD CLERK REGISTER FOR SCOTLAND—24 & 25 VICT. c. 71.

QUESTION.

MR. FRASER-MACKINTOSH asked Mr. Chancellor of the Exchequer, Whether, in view of the vacancy in the honorary office of Lord Clerk Register for Scotland, Government will, as was done for several years without detriment to the public service, carry out the provisions of the statute 24 & 25 Vic. c. 71, s. 1, which enacts that

> "from and after the passing of this Act no salary or fees shall be payable for or in respect of the said office?"

THE CHANCELLOR OF THE EXCHEQUER: Sir, I do not know whether the hon. Gentleman is aware—but certainly his Question does not disclose the fact to the House—that the provisions of the Act to which he refers were virtually overridden by a subsequent Statute—namely, the 31 & 32 *Vict.* The point is now under the consideration of the Government; and I cannot, at the present moment, give any definite answer to the hon. Gentleman as to what their decision may be.

PUBLIC BUSINESS—MINES.

QUESTION.

MR. MACDONALD asked Mr. Chancellor of the Exchequer, If, considering the loss of life in the Mines of the United Kingdom, he will arrange for the discussion of the Resolutions on that subject some day before the Easter holidays?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I very much wish I could; but I am afraid, in the present state of Public Business, it is impossible.

PARLIAMENT—REPORTING THE DEBATES.—QUESTION.

MR. DILLWYN asked Mr. Chancellor of the Exchequer, Whether he will appoint a Select Committee to consider the question of reporting the Parliamentary Debates?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I think it would be a very convenient course to appoint a Select Committee on the subject, as it is a matter that largely interests the Members of the House. We have, as I mentioned early in the Session, made a provisional arrangement with Mr. Hansard on the subject; and it would be convenient that both that arrangement and the whole subject should be referred to a Select Committee, and therefore I shall take the earliest opportunity of moving for a Committee.

MINES REGULATION ACT—THE BLANTYRE COLLIERY EXPLOSION.

QUESTION.

MR. BURT asked the Secretary of State for the Home Department, Whether his attention has been called to the evidence given before the court of inquiry into the colliery explosion at Blantyre, showing frequent violation of the provisions of the Mines Regulation Act; and, whether he will cause an inquiry to be made into the conduct of the manager of that colliery with a view to the cancellation of his certificate according to the thirty-second clause of the Mines Regulation Act?

MR. ASSHETON CROSS: Sir, I think that provision of the 32nd clause of this Act is a very useful one, and I have sometimes, at the suggestion of the Inspectors of Mines, put it in force to show the managers of mines that they are practically on the same footing as captains of ships, and are liable to the loss of their certificates; still the Secretary of State can only act on the information he receives. In this case a Special Commission, consisting of an eminent advocate and a Chief Inspector of Mines, was appointed to inquire into the causes of the explosion. When they sent in their Report no mention was made of the section in question; and, thinking this was a case in which their attention should be drawn to it, I asked them whether they would give me any information on which I could act against the manager? The reply they made was that, in their opinion, it was not a case in which any action ought to be taken.

THE EASTERN QUESTION — THE STRAITS OF THE DARDANELLES.

QUESTION.

MR. WATKIN WILLIAMS asked Mr. Chancellor of the Exchequer, Whether, having regard to the stipulations of the Treaties of London of 1841, of Paris 1856, and of London 1871, relating to the Straits of the Dardanelles, in these words—

> "Treaty of 1841.—The Sultan on the one part declares that he is firmly resolved to maintain in future the principle invariably established as the ancient rule of his Empire, and in virtue of which it has at all times been prohibited for ships of war of Foreign Powers to enter the Straits of the Dardanelles and of the Bosphorus, and that so long as the Porte is at peace His Highness will admit no foreign ship of war in the said Straits. And their Majesties the Queen, &c. on the other part engage to respect the determination of the Sultan, and to conform themselves to the principle above declared.
>
> "Treaty of 1871.—The principle of closing the Straits is maintained, with power to the Sultan to open the Straits in time of peace to the vessels of war of friendly and allied Powers in case the Sublime Porte should judge it necessary in order to secure the execution of the stipulations of the Treaty of Paris 1856;"

and, whether, having regard to these stipulations, the continued presence of the British Fleet under existing circumstances in the neighbourhood of Constantinople is not at variance with the Treaties, or whether anything has taken place that prevents such presence constituting an infraction of the Treaties?

THE CHANCELLOR OF THE EXCHEQUER: I cannot think, Sir, that it would be convenient at the present moment, and in answer to a Question, to discuss the point raised by the hon. and learned Gentleman. I can only say that Her Majesty's Government consider that they are perfectly justified, under the circumstances, in retaining the British Fleet where it is.

EDUCATION (SCOTLAND) ACT, 1872.
QUESTION.

MR. DALRYMPLE asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government intend to continue the Board of Education in Scotland beyond the 6th August next, when the Board of Education (Scotland) Continuance Act will expire, and when the provisions of "The Education (Scotland) Act, 1872," in regard to the supervision of National Education in Scotland, unless they are further interrupted, will take their course?

THE CHANCELLOR OF THE EXCHEQUER: Sir, it is not the intention of Her Majesty's Government to propose a renewal of the Continuance Act; but they intend to propose some measure with regard to the supervision of elementary education in Scotland.

ARMY—COURTS OF INQUIRY AND COURTS MARTIAL.—QUESTION.

SIR ALEXANDER GORDON asked the Secretary of State for War, If he can state when the Return "Army (Courts of Inquiry and Courts Martial)" for which an Address was moved on the 8th day of May last, by the late Sir Colman O'Loghlen, will be laid upon the Table of the House?

MR. GATHORNE HARDY: Sir, the latest regimental Returns were received on Saturday last, and the general Return will be laid on the Table very soon. Great delay has arisen in obtaining Returns from distant places.

LETTERS PATENT—THE SEAL.
QUESTION.

MR. ANDERSON asked Mr. Attorney General, By what authority the Great Seal hitherto appended to Letters Patent for inventions has been abandoned, and a smaller wafer seal representing only one side of the original been substituted; whether this change is legal without Act of Parliament; whether this change reduces the cost of patents; and, whether Letters Patent under the new seal would be as valid as under the Great Seal, if tested in a Court of Law?

THE ATTORNEY GENERAL (Sir JOHN HOLKER), in reply, said, that the small wafer seal referred to had been attached, by virtue of the Act passed last Session, entitled, "An Act making provision for the Preparation and Authentication of Commission and other Documents issued from the Offices of the Clerks of the Crown in Chancery." He did not know that the substitution of the smaller seal would reduce the cost of patents; but he was clearly of opinion that the patents sealed with this seal would be as valid as those sealed with the Great Seal.

THE EASTERN QUESTION—GREECE AND THE CONGRESS.—QUESTION.

MR. HANBURY asked Mr. Chancellor of the Exchequer, Whether it is the fact that Russia has refused to allow the proposal of Her Majesty's Government to admit Greece to the expected European Congress?

THE CHANCELLOR OF THE EXCHEQUER: No, Sir, it is not true that the Government of Russia has refused to assent to the representation of Greece at the Congress; but it is true that the Government of Russia has raised a question as to the footing on which the Representative of Greece should be admitted.

MINE ACCIDENTS—LIFE BRIGADES IN MINING DISTRICTS.—QUESTION.

SIR EARDLEY WILMOT asked the Secretary of State for the Home Department, Whether Her Majesty's Government will consider the proposal made by Mr. Bagot, in his work on Accidents in Mines, for the systematic organization of Life Brigades in the Mining districts for the purpose of rescuing Miners from the effects of after-damp and other noxious vapours; and, whether the Government will appoint a Select Committee to report on the various plans suggested for gaining safe access to a Colliery after explosion?

MR. ASSHETON CROSS, in reply, said, he had obtained a copy of the book written by the young mining engineer referred to by the hon. Gentleman, but he had not had time to consult the Inspectors of Mines about it; and, until he had done so, he could not answer the latter part of the Question.

CRIMINAL LAW CONSOLIDATION—LEGISLATION.—QUESTION.

Mr. HERSCHELL asked Mr. Attorney General, Whether the Bill for consolidating the Criminal Law announced in Her Majesty's Speech will be soon introduced, insomuch as the probability of passing the measure would be increased by its early introduction even though the Second Reading may have to be postponed for a time?

The ATTORNEY GENERAL (Sir John Holker), in reply, said, he should take the earliest opportunity which could be afforded him of introducing the measure referred to by the hon. and learned Member.

INDIA—LORD'S DAY ACT.—QUESTION.

In reply to Mr. Charley,

Lord GEORGE HAMILTON said: Sir, during the passage of the Civil Procedure Code—which is a Consolidation Bill—through the Legislative Council in India last year, a Schedule was inserted repealing the Lord's Day Act. As this insertion was not germane to the Act, and as it was on other grounds objectionable, the Government of India were directed to introduce a Bill repealing this Schedule. They have objected to this Order on the ground that, in their belief, the most important part of the Lord's Day Act was not applicable to India, and have not as yet introduced any repealing Bill. The Civil Procedure Act has not yet been assented to by the Home Government.

ACCIDENTS IN MINES.—QUESTION.

OBSERVATIONS.

Mr. MACDONALD said, he felt it his duty to take a course somewhat extraordinary in consequence of the Answer he had received from the Chancellor of the Exchequer, and that was to move the adjournment of the House. ["Oh!"] If hon. Gentlemen opposite would hear him, he would occupy but a very few minutes; if, on the other hand, he received interruption, he would speak much longer.

Mr. RITCHIE rose to Order, and desired to ask the Speaker whether he had not already ruled, in similar circumstances, that a Member who was dissatisfied with an Answer to a Question put on the Paper could not raise a discussion upon it by moving the adjournment of the House?

Mr. SPEAKER: I have repeatedly pointed out to the House that such a course is highly inconvenient; but I cannot say that the hon. Member is not within his right in taking that course if he thinks proper. At the same time, I am bound to observe to the hon. Member that any language of a threatening character addressed to Members of this House is out of Order.

Mr. MACDONALD said, he was sorry if he had in the least degree violated the Rules of the House, and he apologized at once. But, independently of the Answer he had received, it was his duty to make a statement. The Home Secretary had admitted, in answer to a Question put to him a few nights ago, that the Mines Act of 1872, as well as the Mines Acts that preceded it, had done an immense amount of good, and that no one knew that better than he (Mr. Macdonald) did. He would venture to say that no one was more sensible than he was of the benefits which the Mines Act of 1872 had produced. At the same time, it was not the good which had been done to which he objected; it was that which had not been done, and that work which the Mines Act, if properly carried out, would have effected. He had culled hastily from the Mines Reports a statement of the lives lost in the Swaith Main, Blantyre, Kearsley, and other recent accidents, the total number being 535; and he ventured to say that every one of those lives was lost in violation of the rules laid down by the Mines Act. The other day *The Times*, in a leading article, carefully guarded itself against calling one of these explosions an accident. It was a prostitution of language to call these accidents. They should be described as a scandalous waste of human lives. If it were in keeping with the language ordinarily used in the House, he would call this sacrifice of life "murders in the mines." But what he had to object to was this—they could discuss plans night after night affecting armoured vessels, but his was a question which in a short period of time involved the loss of 535 precious lives.

Mr. SPEAKER: The hon. Member has already given Notice that he will bring this matter under the consideration of the House; and, although he has not fixed any day for the purpose, I am bound to say that in these circumstances his observations are now altogether irregular.

MR. MACDONALD bowed to the Speaker's decision. He now left the matter in the hands of the House; and it was for hon. Members to answer to their constituents with regard to whether this sacrifice of life should continue. He begged to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Macdonald.*)

MR. ASSHETON CROSS could assure the House that whenever the question was brought forward he should be quite ready to give a full history of the working of the Mines Act, and to enter into every particular; but the House would feel that this was not an occasion on which he should be called upon do do so. He was bound to say, in justice not to the Inspectors, but to the mine owners, that the hon. Member had a Notice on the Paper nearly the whole of last Session accusing them of malpractices, and that he did not bring the matter before the House at all. He did not say the hon. Member was not perfectly right, if he thought proper, in putting such a Notice on the Paper; but it was to be regretted that he did not take some opportunity of bringing the subject before the House; and, having had the matter on the Paper for so long a time, it was an unusual proceeding to endeavour to bring it forward in this way at the present time. He could assure the House that every effort had been made for a number of years to enforce the Acts; and the hon. Member had more than once publicly thanked him in the House for the course he had taken on the occurrence of accidents. The Inspectors were doing their best to see that the regulations were carried out; but he wished to say, in the most kindly spirit, through the hon. Member, to those employed in mines, that there was considerable difficulty in preventing them running risks through their own carelessness. He did not desire to impute blame in any way; but if mines were to be worked with due regard to life, care and caution must be exercised by all concerned. It did not rest upon owners and Inspectors only; but it rested also upon miners themselves to see that due care and caution were taken. The Inspectors had considerable powers under the Act, and if miners saw anything going wrong they could call an Inspector to the spot immediately. He could answer for it, that no notice had been received, whether it were anonymous or not, without it being duly attended to. But, as he stated the other day, the duty of an Inspector was of a much wider scope than simply receiving and attending to these complaints. The Act must be worked in such a way as not to take away the responsibility of owners for the safe working of their mines; but it was the duty of the Inspectors to spend their spare time in going from place to place, above ground and under ground; and this duty, which had always been impressed upon them, he believed they performed to the full extent of their opportunity. He could only say that the sooner the hon. Member brought the Motion forward the better he should be pleased.

MR. MACDONALD begged to say that he would withdraw his Motion for adjournment. At the same time, he wished to add this explanation—that he took the ordinary course last year to get the question discussed and failed in the ballot. That was the sole reason why he did not bring it on.

Motion, by leave, *withdrawn.*

H.M.S. "BEAGLE"—JUDICIAL POWERS OF NAVAL COMMANDERS.

QUESTION.

MR. CHILDERS asked the First Lord of the Admiralty a Question of which he had given him private Notice, Whether in the Correspondence relating to the execution of a native on board Her Majesty's ship "Beagle" is included a despatch from Commodore Hoskins to the Admiralty, calling their attention to a certain point—the competency of the officers concerned; and, whether he has any objection to lay on the Table the answer of the Admiralty to the Commodore?

MR. W. H. SMITH: I think it would be more desirable that the answer of the Commodore should be laid on the Table together with the despatch to him; and I propose to do so when the answer has been received and considered by the Admiralty.

MOTIONS.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SEAMEN AND MARINES' WIDOWS' PENSION FUND.—RESOLUTION.

CAPTAIN PRICE, in rising to move—

> "That, in the opinion of this House, the establishment of a Fund to provide Pensions for the Widows of Seamen of the Royal Navy and Royal Marines, such Fund to be supported by contributions from the men themselves and partly by Government aid, would tend to bind the men more closely to the service, check desertion, and prove a salutary and economical measure; and that a Select Committee be appointed to inquire into the best means of establishing such a Fund;"

said, this important subject had for some time been brought before the attention of the country. Great importance was attached to this matter by the late First Lord of the Admiralty, a gentleman who had at heart not only the material and *personnel* of the Navy, but who took a kindly interest in every suggestion for promoting the welfare of the seamen intrusted to his care. There was a proposal by the seamen and marines to establish a fund, by the stoppage of part of their pay, for their widows and orphans. The late First Lord (Mr. Hunt) sent out Papers to every ship, calling for Returns of the number of seamen and marines who would be disposed to join such a fund as this. They were to subscribe 6*d.* a-month, and it was hoped they might be entitled to £24 a-year for their wives, mothers, or orphans; but, on actual calculation, finding the subscription inadequate, they were willing to pay 1*s.* 6*d.*, and to be entitled to £20 a-year for their widows only. With regard to the scheme which he now attempted to submit to the House, he assumed they would have 20,000 subscribers, and his only reason for taking this figure was that when the Admiralty sent out Circulars no less than 22,000 subscribers were obtained. His proposal included the idea that the Government should assist. The first thing to ascertain was the death-rate of the force which would be included in the scheme; and, after making careful calculations on reliable data, it was found that it would be 285 per annum. About one-third of these might be expected to leave widows; and, adding a margin of 25 per cent, 120 widows at the outside would be likely to come on the fund. This figure was subject to an abatement of 6 per cent on account of death and re-marriages, or the misconduct of some of the women. He proposed that the subscription should be 1*s.* 8*d.* per month—that was to say, £1 a-year for each man. There would be no difficulty in subscribing that. This would make £20,000, and if the Government would make a grant of £20,000, that would make £40,000 a-year. The first year 120 widows would come on the fund and absorb £2,400, leaving £37,600, which, with interest, would by the next year amount to £38,916, to be invested as a fund which would go on for 17 years. At the end of 17 years this would give an accumulated balance amounting to £597,526. The interest on this sum would be £20,000 a-year, so that the Government would be released from contributing further towards the fund. In the 90th year of the fund there would, it was calculated, be 2,000 widows on the fund — the maximum number—because the abatement of 6 per cent would be exactly equal to the number of widows coming annually on the fund, and then it would have reached the sum of £40,000 required to pay each widow a pension of £20. Several objections were made last year when he raised the question. The right hon. Gentleman the Member for Pontefract (Mr. Childers) submitted what might be called technical or actuarial objections, and warned the House not to constitute an accumulated fund, which was certain to prove a failure. He could not help thinking that the right hon. Gentleman had been misinformed as to the rules under which it was proposed the fund should be instituted; and, perhaps, had in his mind the failure of the Merchant Seamen's Fund. But the system under which that fund was conducted was bad, and it was badly carried out. Men were allowed to join it and leave it just as they liked; but in this case, if they came on the fund they would not be allowed to leave it. Last year a Committee sat on the subject of the Police Superannuation Fund, and one of the schemes on which they reported was as follows:—It was believed, they said, that if all the members of the force could be treated as belonging to a single force, and that the fund could be raised by annual contributions equivalent to 9 per cent on the whole pay, a fund might be derived which would meet the requirements of the case—2½ per cent from the pay of the men, 2½ per cent to be contributed by the Government, and 4 per cent to be derived from the rates; and it was shown by evidence that there would be no difficulty in carrying out such a scheme, if only the entire police force could be placed under one system. With respect to his proposal, he would remind the House that it was only when the fund reached its final stage in 90 years that they would require so large a fund as £40,000; but he would provide a fund of that amount at once, and for this reason—that it would allow the Government grant to drop in a few years. The objection raised by the Government last year was a Treasury objection—namely, that the scheme would cost money, and that if they did what was required for the Navy they must do it also for the Army. Well, he would be the last to suggest that advantages should be given to the Navy which were withheld from the Army. The Services had an equal right to the advantages they received, and little enough they were. There were, however, essential differences between the two Services. The Navy was a standing service, the Army was not. In the Navy men entered, speaking generally, on the continuous system; the short-term system prevailed in the Army. But there were differences in the relations of the State to the families of the men of the two Services. The soldier's wife and family were constantly with him, and were supported, to a great extent, by the State. They were fed and lodged by the State, and his children were by the State educated. In the Navy there was nothing of that kind, and it would not be reasonable to expect there should be; but there was surely all the more need, therefore, that some equivalent provision should be made for the widows of seamen. It was contended by the men that there being a want of co-operation with them by the Government there was no inducement for them to remain in the Service. But as they conceived that if they remained their widows were entitled to pensions, they had pointed out certain sources from which the necessary funds might be drawn. Among other suggestions was one that the seamen should receive a great part of the profits derived by the Government from the savings on provisions supplied, or intended to be supplied, to the sailors on service. It was true the men found it convenient to let their rations go by, and to receive money in lieu of them, which money they could expend in the purchase of fresh vegetables and other small luxuries at the ports they entered in the course of their voyages; but, as the Government made an annual profit of some £65,000 by the transaction, they not unnaturally thought themselves entitled to a share in the profit. Then, the skimmings of the coppers were estimated to be worth £2,000 a-year, and at present it was spent in beautifying the ships. Then there were fines, amounting to between £6,000 and £7,000 a-year; but he was not sure whether some portion of that did not come from the contractors, and not from the men. In the Army the fines amounted to £90,000 a-year, of which £35,000 went back into the pockets of the men. All these were sources on which the seamen had the highest claim, because they came out of their pockets, and would justly and equitably be applied to such a widows' fund as he suggested. Having thus proved that his scheme was a feasible one, and could be applied to the Navy without any injustice to the other Service, he would now proceed to prove that it was an economical one, especially inasmuch as it would act as a check upon desertion. The desertions averaged 1,000 men a-year. It was estimated that each able seaman cost the country from £200 to £400; but taking it as low as £150, there was on the year a loss to the country of £150,000. By preventing desertion they would save a large proportion of that amount per annum. The effect of the scheme which he proposed could not fail to have a beneficial effect in the way of inducing men to enter and remain in the Service. There was no more domesticated man in existence than the British sailor. He loved his Nancy Lee, and generally he had a number of female relations—wives, mothers, sisters, and sweethearts—depending upon him. Nay, he had heard that if they lost their own, they would even adopt other mothers, who looked after them when they came ashore, washed for them, mended their clothes, and perhaps, too, helped them to spend their money. So convinced was he that the scheme was a sound one, that he believed it would answer to allow each sailor who had not a wife to make one nominee out of the group of his female relations. But this was no part of the scheme he was now putting forward. Such was his scheme, which might have been tentatively applied to the Royal Naval Reserve. Asking for a Committee to inquire into the possibility of this scheme and to consider all its details, he would conclude in the words of the late First Lord (Mr. Hunt) last year, who said—

> "I think it would be an advantage to the Service if such an inducement were held out."

And then he added, with regard to the difficulties which might be raised by the Treasury—

> "Whenever the House of Commons is ready to receive such a proposition favourably—whenever we are in easier circumstances than we are now—it is well worthy of their consideration."—[3 *Hansard*, cxxxii, 1806-7.]

He would not say whether they were now in "easier circumstances;" but he might be permitted to express a hope that this scheme, which in its conception had been so warmly welcomed by its natural parents, might not in its infancy be cruelly strangled rather than bestow upon it that small modicum of nourishment, without which it must inevitably die.

Lord CHARLES BERESFORD, in seconding the Motion, said, there never had been a subject brought before the House which the Fleet had regarded with so much interest and anxiety as that of the Pension Fund. There were two points which, if carefully looked into, would demonstrate the necessity of establishing such a fund as that proposed. The first was the benefit that would accrue to the men, and the other was the benefit to the Service. The benefit to the men did not need to be dwelt upon. If this boon were given, it would be the greatest inducement to them to do their duty. Anybody who knew seafaring men were aware of the effect which female influence had on them, and the fact that a wife or mother would be provided for could not but have the most beneficial effect. We should lose far fewer men by desertion. At present the blue-jackets were a much higher class than they used to be years ago. He knew very many who were perfect gentlemen—he did not say by birth, but in manners and conduct; for it was that which made the gentleman. He held that by adopting this plan we might save not £150,000, but £300,000 a-year. The late Mr. Hunt had said that the desertions in the Navy were 4 per cent; but that was hardly a fair way of putting it. Men could not desert in China, nor on the West Coast of Africa. There were only two Stations at which men could desert—the Pacific and the Australian; and the desertions there were more like 20 per cent than 4. And that was the evil which this would check. The desertions were 1,000 a-year, and every man cost the country £300. He made that out in this way:—A boy cost £50 for two years, and if he were quick he might become a seaman in four years; if not, he would take six years. That was at least £200 more; so that it would cost £300 before a man became an able seaman. Until then he was only learning his work. Then the question arose—Where was the money to come from? The men would only be too glad if they were allowed to put by so much for their families and friends; and surely the Government ought to contribute out of the savings which they made by the men? When they joined the Service the men thought—and he sympathized with them—that they were to have so much a-day, a pension, and a ration. If they always took up their ration, the Government would be £65,000 out of pocket. As some hon. Members might not understand what was meant by "savings," he would explain that if the rations—say of beef—were charged to the seamen at 6*d.* per lb., and they did not take the full quantity, what was saved was credited to them at 4*d.* per lb. The whole ration was charged at about 11¼*d.*, and the seamen were allowed at the rate of 7½*d.* for that portion which they did not take. This system was a great advantage to the Government, as it allowed smaller supplies to be sent out both in the ships and to the depôts, and what the Government returned in actual cash into the Treasury ought to go to a widows' fund. The other sources from which the fund might be fed were the slush money and the sale of dead men's effects. There were many sad accidents occurring from time to time in the Navy. In the *Thunderer* 46 poor fellows were killed. They all knew how the *Captain* went to the bottom; and were it not for the liberality of the British public and the manner in which the Service came forward, there were many unfortunate widows and orphans made by these accidents who, without a shilling in their pockets, would have been thrown upon the world. Even in the ordinary run of drills and duties on board ship men frequently lost their lives. The other day, when hon. Gentlemen came down to his ship, two men were nearly killed. He knew great numbers of seamen, and had heard, he might say, of thousands, who supported their mothers and sisters. He hoped, then, the Government would take up this matter, and if they did he was sure the country would back them up. If the First Lord were to come forward tomorrow and say he wanted £2,000,000 for the Navy, the country would give it. The country always behaved with the greatest kindness to the Navy, which was a little out of sight, but not out of mind. If they were only to keep Jack and Joe, the sailor and the marine, to their sheet anchors, the desertions would be very much fewer.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the establishment of a Fund to provide Pensions for the Widows of Seamen of the Royal Navy and Royal Marines, such Fund to be supported by contributions from the men themselves and partly by Government aid, would tend to bind the men more closely to the service, check desertion, and prove a salutary and economical measure; and that a Select Committee be appointed to inquire into the best means of establishing such a Fund,"—(*Captain Price,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. CHILDERS said, that the hon. and gallant Gentleman opposite brought forward this question last year in a speech which was as worthy of him and of the House as the speech he had now delivered. The hon. and gallant Gentleman had been good enough to allude to a suggestion which he (Mr. Childers) made in the few words he addressed to the House last year. Perhaps he might be allowed to say that he had quite as much at heart the object of the Motion as the hon. and gallant Gentleman and the noble and gallant Lord who had just spoken. He agreed with them that it would be very desirable to attach seamen still more to the Service by giving some advantages to married men, and holding out inducements to them to remain in the Service, rather than put the country to the inconvenience and cost of supplying their places unnecessarily. When he was at the Admiralty, he initiated inquiries with that object, and, had he remained in office, he would have seen what could be done. One of the greatest failures of the present century had been the repeated attempts on the part of the Government to establish, by means of arbitrary deductions from pay, funds which were to be distributed among a few only of those who had been compelled to contribute to them. It was a common device some years ago to establish funds of this description, which appeared at first to work very prettily, but which after a time always broke down. The Merchant Seaman's Fund, to which reference had already been made, was a conspicuous instance of the failure of these funds to carry out the objects for which they were established. The old Civil Service Fund, formed by deductions of Five per Cents for superannuation, was another, and it had been abolished. Though a Committee of the House of Commons last year had attempted to make some suggestions for patching up the Police Superannuation Fund, he did not see that there was any evidence to show that it was likely to turn out any better than others had done. The vice of these funds was that they failed to satisfy those who contributed to them that they got a proper *quid pro quo*. For instance, under the present plan, bachelors would be compelled to contribute to the support of the widows and children of those who had been married. It was for that reason he had ventured to oppose this proposal last year. If the present proposal were adopted, in about 17 years £400,000 would be accumulated; and did anyone imagine that the Navy would endure this large sum being left in the hands of the Government, out of their wages, when four-fifths of them would derive no benefit from it whatever? This was an artificial scheme, operating so to extract money from the pockets of the many for the benefit of the few, and he was satisfied that it would not work, and that if it were attempted to be enforced it would cause considerable dissatisfaction in the Navy. But, while holding these opinions with regard to the scheme of the hon. and gallant Member, he was quite ready to admit that it was desirable that Her Majesty's Government should introduce some sound system under which seamen might be encouraged and enabled to make some provision for their widows—he said nothing about the new class of mother, of whom he heard for the first time. The suggestion which he himself had made last year upon this subject was one of a very simple character, and, in his opinion, it fully met the requirements of the case. The main features were to permit every seaman who chose to do so voluntarily to agree to deductions from his wages, so as to secure for his widow a pension of £10 or £20 a-year in the event of his decease. To secure an annuity of £10 for his widow, a seaman would, according to the tables laid before the House last year, have to contribute, on the average, the sum of 5*s.* monthly—about 2*d.* per day. The seaman's wages amounted to 62*s.* per month, or, with provisions, &c., to 92*s.* per month, and the sum of 5*s.* per month, therefore, would not be too much to ask him to pay for this very laudable object. No one, however, would object to the Government making some contribution towards this object; and therefore it would be unnecessary to ask the seaman for his full contribution. For instance, some of the men would desert, and in such cases the Government would have had the benefit of the surrender value of the past contributions. The Government ought also to make some extra contribution on its part, on the ground that the establishment of such a fund would tend to check desertion. He trusted the First Lord would take the question into consideration, and that before next year he would have prepared a satisfactory scheme to carry out the object which the hon. and gallant Gentleman had in view.

Mr. W. H. SMITH heartily concurred in the spirit of the remarks which had fallen from his hon. and gallant Friend and from the right hon. Gentleman opposite. If we could, in any way, assist the seamen and marines to make provision for their widows, we should be doing a work which would benefit the Service and the country. He could not, however, accept the proposals of his hon. and gallant Friend, who aked that the House should be absolutely committed to undertake to make some provision for seamen's widows. He agreed with the right hon. Gentleman the Member for Pontefract (Mr. Childers), that the scheme shadowed forth in the Resolution would expose the country to very great difficulty, and he did not think it could be brought into operation without causing great dissatisfaction in the Service. In order to be successful, the scheme must apply to every seaman; but, on the other hand, the suggestion made by the right hon. Gentleman opposite left it open to seamen to avail themselves of the opportunities which were offered. He wished to draw attention to the large increase in the Pension Vote, in order to show that in a matter like this we ought not to proceed without great deliberation and caution. It was true that on occasions like this Members were likely to accept in the most generous spirit proposals that were made for the advancement of the men; but when the money came to be voted, there was a certain amount of hesitation at the very large sums which they involved. There was an increase this year of no less than £31,000 on the Vote for Pensions on account of continued service. This increase was one which had been going on for some years, and which must continue. At the age of 38, after 20 years' service a seaman or marine would receive at least £30 a-year, and might receive as much as £45 a-year for life. A man was thus enabled to make provision for his widow, and had a better opportunity of doing so than most men of the age of 38. He did not urge this against the suggestion of his hon. and gallant Friend, but merely as a reason for caution in regard to any step that might be taken. Again, a seaman came on the Greenwich Hospital Fund at the age of 55. That would bring him in 5*d.* a-day, which would be increased to 9*d.* a-day when he reached the age of 65. No public servant was so well remunerated in the way of pension as a seaman, and no public servant ought to be so well remunerated. If, however, we were to grant pensions to seamen's widows, mothers, sisters, and aunts, he was afraid we should put on the Estimates a charge which would ultimately cripple the resources of the country. The arrangement as to savings was made for the advantage of the seamen themselves. It was a most perilous item of deduction from the cost of the Service, and one, moreover, on which little reliance could be placed; because on some stations there were no savings at all, while on other stations the savings were considerable. In his opinion, encouragement ought not to be offered to any provision out of this item; because it might and, indeed, had happened, that the men might make too many savings by not obtaining the rations which they ought to take out. He trusted his hon. and gallant Friend would not press his Motion. He would undertake to examine the question carefully, with the strongest possible desire to see whether a way could not be found by which seamen would be enabled to make proper provision for their widows. He would also undertake to assist in that direction. With regard to desertions by married men, he failed to see what influence the provision for widows' pensions would have upon them, as he understood the desertions took place abroad, in Australia and other parts, where men were at a distance from home; and it was, he understood, confined almost entirely to the younger and unmarried men.

CAPTAIN PRICE said, that after the assurance just given by the right hon. Gentleman, he would not press his Amendment.

Question put, and *agreed to.*

CIVIL SERVICE ESTIMATES.

OBSERVATIONS.

MR. DILLWYN rose to call attention to a matter of principle, bearing on the question of the Government coming forward year by year and proposing Supplementary Estimates. In 1857 the Civil Service Estimates amounted to £9,396,000—last year they had risen £21,756; and even that was found insufficient; and they were now called upon to vote £338,000 to complete the Services of the year. Moreover, on looking into this Supplemental Estimate, he was afraid that one of the great checks this House had established over the expenditure was being evaded. It was a primary rule of their procedure that if a saving was made under one head of the Votes, while under another head the Vote was exceeded, the saving on the one could not be used to supply the excess of the other; the balance must be returned into the Treasury, and a distinct Vote applied for to cover the increased expenditure of the other. But that was not so as regarded sub-heads under the same Vote—in that case the excess of one sub-head was frequently applied to make up the deficiency of the other. Now, in looking into the Estimates, he frequently found that the money voted for one purpose had been applied to another. For instance, in Class IV., under "Science and Art Department," it was reported in the Appropriation Account that they had exceeded the amount voted to them by more than £12,000; but they had taken various sums that had been saved under other sub-heads, and which ought to have been surrendered to the Exchequer, and applied them to sub-heads, the Votes on which had been greatly exceeded. The Report of the Auditor General said—

> "The sum thus voted proved insufficient to meet the charges thrown upon these sub-heads, but the matter was met by the saving on the other sub-heads, and the total amount of the head was not exceeded."

The proper course would have been to come to this House for a Supplementary Vote for the deficiency where it had arisen. The system of transfer from one head to another was against the principle of the rule to which he had alluded, for by it the Government were able to use money intended to be spent on a popular Vote on one that was very questionable, and for which they might not have been able to get as large a Vote as they wanted. It was the more objectionable, as the Estimates amounted already to an enormous sum, and were increasing year by year. He wished to insist that the rule should be adhered to which required that surplus balances should be surrendered to the Exchequer, and that any addition to be made to other heads should be obtained by a Vote of the House in the regular way, and not by transfer from one head to another. He thought the attention of the House ought to be called to the enormous expenditure they were now asked to vote for Civil Service Expenditure. He found fault with the spending disposition of the Government, which was unexampled, and he thought it was a great pity that supporters of the Ministry should come in from the smoking-room, knowing nothing of the arguments that had been adduced, and out-vote those who had attended to what they were voting on, and took an active interest in reducing the expenditure of the country.

General Sir GEORGE BALFOUR also complained of the increase in Supplementary Estimates, thinking the time had come when the House should try and remedy this state of things. He pointed in particular to the increase of expenditure on the Royal Palaces. Whatever was required for supporting the dignity of the Royal Family he was in favour of being given with a liberal hand; but there was a large expenditure connected with those Palaces not in the occupation of the Crown that could be avoided. He strongly objected to these vacant Palaces—so far as the expression referred to the Crown—being inhabited by other parties. If it be desirable for the dignity of the Crown to have the means of benefiting individuals, then let money be voted, to enable the Crown to give funds to parties to hire suitable houses. It was unwise to continue the bad practice of housing respectable people in Palaces. He likewise complained of an increase in expenditure on law and justice, which the people could not get administered, of no less than £1,500,000 within seven years. Then as to the transference from one head of money voted to it to another, he pointed out that this was an evasion of the law. Last year the attention of the Chancellor of the Exchequer was called to this point, and he now again called attention to it, and particularly asked for attention to this bad practice on the part of the hon. and gallant Gentleman the Secretary to the Treasury. He pressed upon the hon. and gallant Member that no sum of money should be taken from the one purpose to which it was voted and applied to others. He did not mean to say that the sum first voted should always be held to have been sufficient for the purpose. No doubt, circumstances might occur to necessitate a Supplementary Vote. But the necessity should be fully established before the Treasury permitted any such estimate to be put forward. Where such need should arise, then he proposed that a sum should be set apart for meeting deficiencies, and that a Department which went to that fund and got assistance from it should be obliged to come before the House at the earliest possible moment, and ask it to make good the deficiency in the fund. As an instance of the irregularity, he referred to the application to Dover Harbour of money which had been voted for other harbours, and expressed a hope that measures might be devised by which a more effectual control over the expenditure would be secured to the House of Commons.

Colonel STANLEY said, the twofold objections of the hon. Member for Swansea (Mr. Dillwyn) were rather contradictory. The hon. Member had demurred to the extent of the Supplementary Estimates, and then with equal force to the system of applying money voted for one purpose to another. So far as theory went, he agreed with the hon. Member for Swansea, and with the hon. and gallant Member for Kincardine (Sir George Balfour), as to the undesirableness of having Supplementary Estimates at all; but he was bound by what was practicable. Supplementary Estimates were chiefly due to three or four causes. It was, first of all, the custom, the wholesome custom, to regulate the Estimates more closely in accordance with the Services for which they were intended than formerly. The Estimates were also presented to the House at a much earlier period of the year, and it was obviously impossible in a case in which sums so large in amount were involved to form as correct an estimate for 14 months as for 12. It must also be borne in mind that there was a source of expenditure over which neither the Treasury nor the other public officers had a very great control—he alluded to those instances in which extensive operations were being carried on in the nature of contracts. Another source of expenditure was that which, however great the sums laid out might be, was in itself actually reproductive, whether in a money point of view, or in that of the general convenience of the public service, and with respect to which, after the expiration of the year, it was therefore deemed advisable that a further outlay should be incurred, That remark applied to such Services as our Postal and Telegraphic systems. Motions made in that House, he might add, were a further cause leading to expenditure, and although he was quite of opinion that it was not desirable to transfer the amounts voted under one sub-head to another, he would ask the House what the alternative was to be? He quite agreed with the hon. Member that the control exercised by the House over the Public Accounts was, to some extent, *ex post facto;* but the greater part of the expenditure could only be decided and apportioned by the Departments themselves. The House, however, had, besides its proper control over the Departments, the right of questioning their heads, and thus obtained an additional guarantee for the propriety of all expenditure. He hoped the House would be satisfied with that practical control which it already possessed.

MR. RYLANDS: Sir, I cannot think that the statements of the hon. and gallant Gentleman (Colonel Stanley) are perfectly satisfactory, although I am willing to give to the Treasury credit for desiring to check as far as possible the transfer of Votes of money from one purpose to another. I had the honour formerly of being on the Public Accounts Committee, and that was a point which was continually under our notice. I quite agree that this Committee does watch Estimates with a great deal of jealousy; but they are not able to prevent large sums of money voted for the purposes of one sub-head being applied to another sub-head without coming under review by the House; and, so far as this practice is adopted, I am quite sure it must have an evil tendency in increasing expenditure. I know, and so does the hon. and gallant Gentleman, that in every Department outside the Treasury there is a continual pressure put upon the Treasury to provide more money for the permanent service of the Crown. The effect of this is, that there is obliged to be a constant endeavour, on the part of the Treasury, to keep down expenditure. When the Estimates are presented to the House and fully criticized, and the House votes certain sums of money, it is quite true that these criticisms have a tendency to check undue expenditure; but you lose a great part of that control if the Votes of this House can be made use of to the extent of putting the sums so voted from one sub-head to another sub-head. The object of the Exchequer and Audit Act, under which it is necessary to surrender to the Exchequer all amounts not expended by the Departments, was clearly for the purpose of preventing the improper application of money Votes; and my hon. Friend is only seeking to apply the same principle on a smaller scale in connection with the sub-heads of expenditure under the different Departments. I believe the Treasury would find that the course recommended by my hon. Friend (Mr. Dillwyn) would strengthen their hands in resisting the demands of public Departments; because the hon. and gallant Gentleman (Colonel Stanley) knows perfectly well that there will be numbers of such applications made to the Treasury to sanction expenditure by putting it from one head to another. Supposing the Treasury were perfectly aware they could give no additional sum without a Vote on Supplementary Estimates, it is quite clear their hands would be strengthened by adopting the suggestion of my hon. Friend (Mr. Dillwyn). Now I come to the next point. The hon. and gallant Gentleman said that which is quite true—namely, that if the proposal of the hon. Member for Swansea (Mr. Dillwyn) were adopted, it would increase the Supplementary Estimates. Of that there is no doubt. My hon. Friend objects to the large volume of Supplementary Estimates for this year; but we would very much rather have additional Supplementary Estimates than that the House of Commons should lose its control over the Votes for certain purposes. We are quite willing for these Supplementary Estimates to be introduced if the Department for which they are voted is able to put before the Treasury sufficient justification for the expenditure contemplated, and if it could be shown that such expenditure was urgent and necessary. I am quite willing to admit that the hon. and gallant Gentleman has given good reasons why there should be Supplementary Estimates introduced when they were shown to be necessary; but we are only anxious that such Supplementary Estimates should be kept down to the narrowest limits. I do hope that, although the hon. and gallant Gentleman has not given my hon. Friend much encouragement, in the next financial year he may be inclined to look more favourably upon the proposal, and that the rule shall be laid down that no sum of money shall be applied for any other purpose than that for which it is voted, and that any sums required for unexpected emergencies shall be placed in the Supplementary Estimates, so that the House shall have control over the expenditure, and every opportunity of considering the application of the money for the purposes in which the Treasury shall sanction it.

SOUTH AFRICA.—OBSERVATIONS.

MR. O'DONNELL, who had on the Paper a Notice to call attention to the method of warfare pursued by Her Majesty's troops and others acting under the Imperial authority in South Africa and Northern India, and to move—

> "That such proceedings, if unchecked, are calculated to discredit the Government amongst civilized nations, especially in the present crisis;"

said, that he did not wish, on this occasion to refer to the military, operations in Northern India, as that was a subject which should be treated by itself at a future time, and therefore he would confine his observations to the military and other proceedings in South Africa. Recent events had, in his opinion, justified the view which he held last year respecting the policy of the Government towards the Natives. He had then argued that their resentful feelings were largely due to rumours of a confederation of Whites against them, and he had quoted from a despatch of Sir Henry Barkly, stating that such rumours were being spread and were having that effect. Since making that statement, he had been assured by a number of persons well acquainted with South African affairs that the confederation scheme had really very much to do with the spread of disaffection among the Native tribes. He had also been informed that the manner in which Mr. Froude had pictured the Native danger, painting it in the gloomiest colours, and his heated speeches translated in an exaggerated form into the Native dialects, led the various tribes to believe that the scheme of confederation meant a scheme of extermination. Of course he was aware that the Colonial Office was not responsible for such exaggeration; but great care should have been exercised in the choice of our emissary, and in the manner of impressing the plan of the Government upon the Colonial mind. The first bloodshed in connection with the war occurred at a wedding, when a dispute arose, and a Fingoe killed a Galeka. The latter tribe had an old grudge with us, while the former were our *protégés*. He was afraid that the manner in which we had suppressed the original rising was the whole cause of the present extension of the war. In dealing with such antagonistic tribes, we ought to have taken steps to convey to them the idea that we should be impartially just; but he was afraid we did nothing of the kind. It seemed as if Mr. Froude had left behind him some traditions of the policy which he had been so fond of recommending, not only with reference to Irish but other affairs —that of stamping out discontent in the bloodiest and most cruel and merciless manner. The troops, acting under the authority of our Government had, he alleged, perpetrated such deeds against the Galekas as were severely and justly censured when committed by Bashi-Bazouks in Turkey. In support of his assertion, he might refer to the reports sent by our Commander in the field to Sir Bartle Frere. Those reports showed that the huts of Kaffir villages had been burnt to serve as beacon fires to our columns who were moving in the neighbourhood. One body of our troops returned with 500 sheep and a number of Galeka women and children whom they had captured. The track of our forces was marked by the destruction of Native villages. A letter which had appeared in *The Times* from a person who had been in one of those engagements stated that on our side there were 3,000 men, including 2,800 Fingoes; that the Galekas were estimated at 1,500; that the enemy was driven helter-skelter, about 50 being killed and many more wounded; that hundreds of huts were burnt for miles round, and that nothing but ruin was to be seen in the Galeka country. It was not difficult to judge what treatment was received by the captured Galeka women and children when they fell into the hands of the Fingoe savages whom we took into our pay. Having rendered the whole of the Galeka country a wilderness, we congratulated ourselves on having brought the outbreak to an end; but that triumph was only the beginning of the devastation now spreading over South Africa. After killing many of the people and capturing their cattle, we next confiscated their land, and the fugitive and terror-stricken Galekas flew in all directions, telling the awful story of our doings to the Gaikas and other tribes. The result of the attempted suppression was, that the whole of Kaffraria was rising in arms, and tribe after tribe was being added to the number of our enemies. Considering the massacres on one side and the massacres on the other, the hut-burning, the farm-burning, and all the fearful retribution now going on, the probability was that the Colonial Office, in attempting to stamp out the Galekas, had laid the foundation of half-a-century's tyranny—granting that the tyranny might be necessary—and resulting discontent among the Natives of South Africa. He wished for some explanation of the position in which the Colonial Office now stood to the late Transvaal Republic and Cetewayo, the well-known Zulu Chief. He said last year that an overwhelming majority of the people of the Transvaal were opposed to confederation, that the stories told in that House of any great body of people in the Transvaal being in favour of annexation were untrue, and that the time would come—it had come very quickly—when we should have to meet the difficulties which an annexation of the Transvaal would cause. So far from the President and the Attorney General of the Transvaal Republic being satisfied with their treatment by the Colonial Office, he found that immediately on their arriving in the Transvaal territory, they summoned a meeting of the Transvaal Republican Party. At that meeting there were present 600 mounted Transvaal Republicans, some hundreds of them bearing rifles. The misrepresentations made in that House, to the effect that the Transvaal Republicans were satisfied with annexation, were condemned most strongly. A large number of threats of insurrection were made at the meeting, and a Petition to the Colonial Office was agreed to, in which the Petitioners expressed their opinion that it was not the wish of England to rule over a people who were opposed to such rule. The Petitioners entreated the Colonial Office to restore to them their country, for which they had always been, and were now, prepared to sacrifice their lives. That was the state of things after a forcible annexation of the Transvaal Republic. He stated last year that Cetewayo was in alliance with Sir Theophilus Shepstone with reference to the annexation of the Transvaal. He found lately that mention was made in *The Fortnightly Review* of a translation by Bishop Colenso of a document by an envoy of Cetewayo, to the effect that the foundation of the present disturbed relations between Cetewayo and the British Government was solely this—that Cetewayo believed he was defrauded of the fee he had reason to expect from Her Majesty's Government for his services towards overawing the Transvaal State. He (Mr. O'Donnell) wished to know whether some steps would be taken immediately for the purpose of keeping down the savage passions of our Fingoe Auxiliaries? and he hoped that as early as possible all necessary documents would be laid before the House for the purpose of satisfying it that steps were being taken to remedy the evils complained of.

SIR MICHAEL HICKS-BEACH said, he did not think he should be justified in detaining the House by a reference to all the topics which had been brought under their notice by the hon. Member. He did not think it necessary to discuss on that occasion the policy of the annexation of the Transvaal Republic, or the confederation of South Africa. The annexation of the Transvaal was a matter of the past, and the confederation of South Africa was, he hoped, a matter of the future. Neither of these questions had in any degree been raised by the Notice of Motion placed on the Paper. He might, however, state that such a Memorial as the hon. Member had spoken of was, he believed, being signed by some of the inhabitants of the Transvaal; but he might remind him that it had never been pretended that all the inhabitants of the Transvaal had unanimously agreed to annexation. There had always been a portion of the people who objected to it; but he did not believe that these views were shared by a majority, much less by the whole, of the people. When the Memorial of which the hon. Member had spoken reached the Colonial Office, it would be attentively considered.

There must, of course, be every wish on our part not to interfere unnecessarily with either the local feelings or prejudices of the Transvaal inhabitants. The hon. Member proposed to call attention to the method of warfare pursued by Her Majesty's troops and others acting under the Imperial authority in South Africa. He had in some way coupled that system of warfare with the subject of the confederation of our South African Colonies, and suggested that the original Kaffir outbreak was due to the confederation scheme, and that it had spread in consequence of the mode in which the first outbreak was suppressed. But surely nothing had more commended the scheme for the confederation of South Africa to the Parliament which adopted it than the knowledge that it was the foundation of a Native policy which should be identical in all the South African Colonies, with the object of securing good government and civilization to the Native tribes of South Africa. The hon. Member had used very hard terms with reference to the conduct of our troops and Colonial Allies in the suppression of the outbreak. He spoke of it as bloody and cruel—"merciless atrocity" was one of the phrases he used—and he compared it with the most terrible horrors perpetrated by Bashi-Bazouks. Now, he had listened with the greatest possible attention to hear any statement of facts by which such language could be justified. He had read with great care all the despatches on this matter, which were now in the hands of Members, and which recounted fully the history of the outbreak up to the end of last year, and he had failed to discover anything in them to warrant the language which the hon. Member had employed. The hon. Member never referred to these despatches, which he could scarcely have read; but he quoted certain letters which appeared in *The Times*, and all he gathered from them to justify the terms he had employed was that some huts had been burnt and some women and children captured. If they had not been captured, most probably they would have been starved. But he challenged the hon. Member to produce any instance of cruel or improper treatment of either the women or children who were captured. No doubt there was the burning of the Native kraals, but that was a necessary, though a regrettable, incident to such warfare; and any hon. Member who had read the despatches would see that such an occurrence had only taken place when absolutely necessary for the suppression of the rebellion. The hon. Member had talked, without proving his words, of the excesses perpetrated by our Native Allies. It was not likely that these auxiliaries could be subjected in all respects to the strict discipline to which our own soldiers were accustomed. But nothing could show more thoroughly how ardently Sir Bartle Frere desired complete discipline than the decided action he had taken in order to secure that all the forces should be subject to the General Commanding-in-Chief. If there had been any excess in the past it had been due to the system, against which Sir Bartle Frere had strongly objected, of separating the command of the Imperial, Colonial, and Native troops. But, to the best of his knowledge, the charges brought forward by the hon. Member, whether against European or Native Forces, were entirely without foundation; and he most strongly protested against such accusations being made—without far better grounds than the hon. Member had adduced—against men at a distance from their native land who were endeavouring, amid the greatest possible difficulties, to do their duty.

Sir ANDREW LUSK said, he had the utmost confidence in Sir Bartle Frere; but was afraid that there might be too great inducement in hot blood to put down disturbances with too strong a hand, and it was therefore desirable that the attention of Parliament should be called to the matter.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE AND REVENUE DEPARTMENTS SUPPLEMENTARY ESTIMATES, 1877-8.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS 1.—PUBLIC WORKS AND BUILDINGS.

(1.) £4,400, Royal Palaces.

Mr. DILLWYN asked for an explanation with regard to the first item, which was a charge for fitting up apartments in Kensington Palace for the Inspector of Buckingham Palace. He had never yet heard of that office, and he should like to know whether it was a new appointment, and, if so, why the Inspector had apartments allotted to him at Kensington Palace? It was an inconvenient plan to make one Royal Palace the lodging-house for the Inspector of another. There was a further Question which he had to ask with reference to an amount for repairs of a stable at Hampton Court. It was said that a large stud of horses was kept there, and that they were sold. It would be satisfactory to know whether the proceeds of the sale went, in its entirety, to the Exchequer, or in what way any part of the proceeds was disposed of?

MR. GERARD NOEL said, that with regard to the Inspector of Buckingham Palace, the appointment was not a new one. During the past year the late Inspector had died, and the fresh appointment had involved the refurnishing of the apartments, inasmuch as it was found that the rooms were much dilapidated from the prevalence of dry rot. The salary of the Inspector was provided for in the Civil List.

GENERAL SIR GEORGE BALFOUR objected strongly to giving apartments in Palaces in the occupation of the Crown to officers like Inspectors. It was necessary for the Crown to have every comfort and convenience; but the residence of Palace Inspectors had no connection with that comfort, seeing that the Palace of Kensington had been given up to individuals having no claim to live in Palaces; and as regarded officers employed to look after the buildings, it would be far better to give the Inspector a lodging allowance, and let him find his own apartments. The occupation of any part of this Palace by such functionaries, or by any other private individual, was objectionable; a Palace ought not to be turned into a poor-house. No doubt, many persons in the Royal Palaces might deserve well of their country, and many were well selected for bounty by the Crown; but it would be an economy in administration, as well as a proper course for individuals, not to allow them to occupy Royal Palaces.

MR. BERESFORD HOPE asked what could be done with the rooms in the Royal Palaces if they were kept unoccupied, in accordance with the hon. and gallant Baronet's suggestion? If unoccupied, there would be just the same charge for repairs, and the damage to the rooms from damp would be much greater.

GENERAL SIR GEORGE BALFOUR said, it seemed that the occupation of the rooms had not been able to stop the dry rot, which was now proposed to be removed by spending money that the Committee was called on to vote.

SIR ANDREW LUSK observed that there was a new item in the Estimates. It was for the erection of a school at Hampton Court Palace. He wanted to know what was the meaning of a school there, how it was occupied, and for whom required? He had understood that there were only a few ladies living at the Palace, and of course their education was completed.

MR. GERARD NOEL said, that an old building which contained a schoolmistress's house had been pulled down. It was necessary to build a new schoolhouse for the children of the soldiers and persons employed about the Palace. It was not a new school, having been instituted in 1840; was maintained by voluntary contribution, principally from the ladies in the Palace, by the children's pence, and by the Government grant. It was under Government inspection.

MR. WHITWELL would like to have some information as to whether the items that had been alluded to were the commencement of a new expenditure? He did not remember any Vote last year, and therefore supposed the Supplementary Vote was on account of an expenditure without a Vote.

MR. GERARD NOEL said, that it was a new Vote, and it was anticipated that £300 would cover the whole cost of the building.

MR. DILLWYN remarked that the Supplementary Estimates voted by the House ought not to have been for new works. It was a small matter, but still the principle was the same. It would be convenient if some of the officers of the Government would let them know in all cases in which they asked for a Supplementary Vote, whether it was for the commencement of a new work. When a new work was begun, the House ought to know all about it. It was said these works would only cost £300; but it was a bad principle not to let the House know whether or not it was voting for the commencement of new works.

Mr. GERARD NOEL said, that no doubt, it would be in the knowledge of hon. Members that last year the House sanctioned certain items for the buildings. Those repairs, and the extension of those repairs, involved the removal of the school-house, and the Vote was only for the completion of repairs which had already been commenced.

General Sir GEORGE BALFOUR complained that it was very inconvenient that the Commissioner of Works did not issue an annual Report, in the same way as was done by the Board of Inland Revenue. The House never had any precise information from the Commissioner of Works in the shape of an annual Report as to how he spent the public money. Instead of imposing on the hard-worked Secretary to the Treasury the arduous task of explaining to the House the state of the Civil Estimates for the enormous amount of £23,000,000, each responsible Minister should perform that duty for the portion of the funds which were under his control.

Mr. M'LAREN thought it would be very desirable to have a Report from the Commissioner of Works, similar to that of the Inland Revenue Commissioners. He was glad to see the President of the Board of Trade in his place, and he would take the opportunity of suggesting to him that his Department, comprising, as it did, a multitude of sub-departments, should also adopt the plan he had mentioned. It would save a great deal of time, and Members would not require to ask for so much information as they now did in the shape of Parliamentary Returns.

Sir ANDREW LUSK thought the Estimates might be prepared in a way which would give much more information to the House, and prevent loss of time in asking about doubtful items. It would be extremely convenient, and cost a comparatively small sum, to have full details printed for the House.

Mr. W. H. JAMES, before the Vote was put, would like some information with reference to the school. Was it a new school, or was it an alternative school for one which had already existed? The House had a perfect right to inquire into the circumstances under which the new school was required.

Mr. GERARD NOEL said, it was not a new school. It was attended by 40 or 50 boys, chiefly belonging to the soldiers and to persons who were employed in the Palace.

Mr. BIGGAR, in reference to the charge for extensive repairs at the Stud House at Hampton Court, complained that money had been wasted upon it. If the Government intended to keep up a stud of horses, it should rather turn its attention to breeding useful horses, than such as were now turned out at Hampton Court. The horses that were now bred there had neither bone nor substance, and were, after a few years, only fit for cab horses. Every year it was more and more difficult to get the right sort of horses, and if horses were bred at all at Hampton Court, they should be of a useful character.

Mr. O'DONNELL asked for an explanation with regard to the duties of the Inspector of Buckingham Palace?

Colonel STANLEY said, that the Inspector to whom the hon. Member had referred was paid out of the Civil List, and not out of the Estimates. His duties were those of a rather superior clerk of the works; he had to examine and report upon the state of the buildings. The Inspector received £300 a-year from the Civil List.

Vote *agreed to.*

(2.) £4,100, Marlborough House.

Mr. BRISTOWE asked for an explanation in regard to the works which had been carried out at Marlborough House. The sum which the Committee was asked to vote was a large one, and what the country would require to know was that the work had really been satisfactorily done. There was no doubt that every Member of that House, and every person out of it, was desirous that the House in which the Heir Apparent to the Throne resided should be properly drained, and, in all other sanitary respects, rendered perfect.

Mr. GERARD NOEL said, that when Marlborough House was being got ready for His Royal Highness the Prince of Wales, about 15 years ago, all the works were then inspected by Sir James Pennethorne, the eminent architect. Since that time, the building had been under the charge of His Royal Highness, who employed his own staff and sanitary engineer. When, unfortunately, typhoid fever broke out last year at Marlborough House, and Prince Albert Victor took the fever, as well as some other members of the Royal Household, His Royal Highness the Prince of Wales applied to the Government with a view that they should have the whole of the drainage overhauled. The Office of Works was commissioned with that duty, and when the proper officers went into Marlborough House, they found that the drainage was in a most dreadful state. Drains ran in from the street, and from the direction of St. James's Palace; and there were runs for rats all over the place. The whole of the arrangements had been changed; the defects had been thoroughly removed; and Marlborough House had now been drained, he might say, on the most scientific principles. During the whole of the time the works had been going on, His Royal Highness's medical attendant, and Mr. Rawlinson, of the Local Government Board, had been in constant attendance, and had thoroughly approved of everything that had been done by the Office of Works. There were now no drains within the house; they were all outside and ran direct into the main drainage, passing down by the Horse Guards. From the information which he had received, he believed that Marlborough House was now the best drained residence in London.

DR. LUSH remarked that the right hon. Gentleman had made a very satisfactory statement as to the sanitary condition of Marlborough House. It was, however, rumoured abroad that, notwithstanding the present admirable drainage of that residence, it did require, in the opinion of one of the gentlemen whom the right hon. Gentleman had mentioned, periodical flushing; and he (Dr. Lush) should like to know how that had been provided for?

MR. GERARD NOEL believed that the arrangements for flushing were also perfect. An officer of the Office of Works, who had been to Marlborough House only two or three days ago to try the flushing, had informed him that everything was as perfect as possible.

MR. W. H. JAMES expressed his satisfaction at the statement of the First Commissioner of Works, and asked him whether the Committee were to understand that Marlborough House was the property of the country?

COLONEL STANLEY replied that, under the Act 13 & 14 *Vict.*, the house was to be held, as now, during the joint lives of Her Majesty and the Prince of Wales. Subject to that provision, it was public property.

Vote *agreed to.*

(3.) £6,452, Royal Parks and Pleasure Gardens.

SIR ANDREW LUSK said, he desired to say a few words in reference to the Royal Parks and Pleasure Gardens. In the first place, he should like to have some explanation of the items of £1,900 and £1,000 for fencing the Edinburgh Arboretum Grounds, and for restoration of Inverleith House respectively. Then for re-arranging the heating apparatus in the Palm House, Royal Gardens, Kew, a sum of £1,900 was charged. Now, he would put it to his right hon. Friend, who did his duty remarkably well, that this Palm House was, after all, a very shabby concern on which to expend so large a sum of money. While on the subject of Royal Parks, he should like to ask his right hon. Friend why he paid no attention to the north side of Hyde Park? On the south side he planted tulips, hyacinths, and rhododendrons; but the north side he left in a state of desolation, so that one might fancy he was travelling in places such as owls frequented and made a noise at night. The people living on the north side of Hyde Park were an aggressive people; and unless the right hon. Gentleman did something to improve it, they would refuse to grant him the money that he wanted.

MR. GERARD NOEL thought that his hon. Friend the Member for Finsbury was somewhat ungrateful, or else, perhaps, he had not been into the Park lately. [Sir ANDREW LUSK: I was there yesterday.] It was only last year that he (Mr. Gerard Noel) asked for a considerable sum of money for the purpose of improving the north side of Hyde Park; and if the hon. Gentleman would only walk from the head of the Serpentine to Lancaster Gate, he would see in course of construction very beautiful flower walks, similar to those on the south side. With respect to the Arboretum Grounds at Edinburgh, they comprised about 36 acres, and were handed over last Whitsuntide to the Government on the understanding that they should maintain them in the future as a pleasure ground and a scientific garden. As to the Palm House at Kew, he thought it was one of the most beautiful things of the kind that it was possible to see, and the re-arranging of the heating apparatus had been rendered necessary by the damage caused to it by the floods of last year.

Mr. M'LAREN wished to give an explanation in reference to the Arboretum Grounds and Inverleith House. The latter was the mansion house of an estate in the neighbourhood of Edinburgh, for which the inhabitants of that city were, as he thought, so foolish as to give about £26,000, and then to make a present of it to the Government on consideration that they would maintain it in all time to come. One reason assigned for the gift was that the Botanical Gardens, which belonged to the Government, were found to be too small for their purposes, and it was intended that this property would be joined to them, Inverleith House becoming the residence of the Professor of Botany, who was charged with the superintendence of the Gardens. This hope, however, had not been realized. The house was burned down soon afterwards, and the Insurance Office had paid to the Government a sum of £1,547. He believed that the authorities of the Botanical Gardens, at the time the property was handed over to the Government, contemplated, in addition to the present botanical school, the teaching of forestry with a view to the qualification of young men going to India. If ever the Government got a good bargain they got one in this instance.

Vote *agreed to.*

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £3,569, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the completion of the Purchase of the Clockmill Estate, Edinburgh."

Mr. GOURLEY said, that he altogether objected to this Vote, inasmuch as the principle involved in it amounted to this—that the city of Edinburgh was to have grants made out of the Imperial funds for the purchase of a local Park. If this were to be done in the case of Edinburgh, why should not Liverpool, Birmingham, Manchester, and other large towns have provided for them public Parks paid for out of the Imperial Exchequer? He thought that the time had come when Parliament ought to exercise some control over the expenditure of money for this purpose, and moved that the Vote be disallowed.

Mr. M'LAREN said, that as he had had something to do with this matter, he was in a position to give an explanation to the Committee. The Queen's Park in Edinburgh was let as a sheep-farm, for about £800 a-year, consisting of many hundred acres. At one corner of the Park was the Queen's Palace, and adjoining was a small estate, the owner of which died some three or four years ago. The trustees of the deceased, with a view to preserve the amenity of the Palace, offered the estate to the Government at a very moderate rate; but they refused to buy it. Efforts were made by the local authorities in Edinburgh to induce the Government to purchase it, not as a Park for the City, but in order, as he had said, to preserve the amenity of the Queen's Palace; but they still refused. After a time the trustees sold the estate with the house upon it to some speculative builders, who set to work to erect workmen's houses on the ground. Those houses would be within 200 yards of the windows of the private apartments of the Queen's Palace; and another representation was made to the Government about the monstrosity of allowing such a thing to be done. At length the Government agreed to buy the property. But it was the old story of the Sybilline Books—they refused to give the small sum asked for it, and they afterwards gave above £5,000 more for it than the sum at which it was first offered to them. The reason was that the speculative builders found that they had made a very good bargain for their purposes; and it was not at all unreasonable that they should sell what they had purchased to the best advantage. His answer, then, to his hon. Friend the Member for Sunderland (Mr. Gourley) was, that this money was required, not to provide a Park for Edinburgh, but to improve the amenity of the Royal Palace.

Sir GEORGE BOWYER thought that the explanation which had just been given by the hon. Member had made the case rather worse than it was before. The hon. Gentleman had said that the land was necessary for the amenities of the Royal Palace; but the Palace of Holyrood was one in which no British Sovereign had resided in their time, nor was one ever likely to reside there. And when the hon. Member told the Committee that the projected buildings would have been within 200 yards of a Palace which was only used for the election of Scotch Peers, he must say that he did not see in that a sufficient reason why so large a sum of public money should be spent in purchasing this land.

Mr. MACDONALD thought that the hon. and learned Baronet who had just spoken was in error, because, if his memory served him right, Her Most Gracious Majesty had put up at Holyrood so that for the time being it was a Royal residence. And it might happen that Her Majesty would again put up there. He thought that the explanation given by the hon. Member for Edinburgh (Mr. M'Laren) was a very satisfactory one indeed. The only thing to be regretted was that the Government did not buy the estate when it was offered to them at a very reasonable price; for anyone who was acquainted with the place must admit that it would be very undesirable to allow this land to get into private hands. This was to be noted as well, that it was not because of its being a benefit to the Palace it was to be added to the great Park for the people.

Dr. LUSH remarked that most of them had probably looked down upon the Palace of Holyrood and been struck with its charming situation. Therefore, so far as its surroundings were concerned, he did not think there could be any necessity for purchasing this additional land. Many of their Royal Palaces—as, for example, St. James's Palace and Buckingham Palace—were surrounded by houses of all classes; but he had never heard that any great objection was entertained by Royalty to being so surrounded. He thought that this was a most exorbitant sum to ask the British Parliament to vote; and if the hon. Member for Sunderland (Mr. Gourley) went to a division he should vote with him.

The CHANCELLOR of the EXCHEQUER wished just to mention that the main reason for making this purchase was that a change had taken place in the occupancy of the house and ground in question. They had been occupied as a private house and garden, and as long as they remained so they were no injury to the site of Holyrood Palace. When they were first offered to the Government, there was a likelihood that they would still be retained for that purpose, and there seemed to be no reason for going to any expense in purchasing them. But afterwards they were bought with a view to the erection of lodging-houses, and one effect of that would have been to spoil the amenity of the view. Another would have been that a right of way which existed through a portion of the Royal Palace would be largely used if these buildings had been erected. As had been stated, the Palace of Holyrood was occupied from time to time. The year before last the Queen was in Edinburgh for several days, and during that period she resided in Holyrood Palace, and gave, he believed, several entertainments, and saw company there. Therefore, it was not quite reasonable to speak of it as being a Palace that was unused.

Mr. WHITWELL expressed a hope that his hon. Friend the Member for Sunderland (Mr. Gourley) would withdraw his opposition to the Vote. There was a national interest taken in Holyrood Palace, and a desire entertained that Scotch historical monuments should be preserved. The Committee could not but regret, however, that the offer of the trustees had not been accepted by the Government.

Mr. W. H. JAMES said, he only rose for the purpose of pointing out that, as regarded public Parks in the North of England, there was hardly a single instance in which it was not alleged as one of the great grounds for the purchase of these Parks by the locality, that the ground was likely to be bought by speculators. Therefore, it appeared to him that there was no reason why this money should, in the present case, be spent by the country generally; and he thought that the charge ought to be borne by the locality.

Sir ANDREW LUSK was not going to oppose the Vote exactly upon the ground which he had heard stated; but he wanted to give a little advice to his right hon. Friend opposite (Mr. Gerard Noel), who looked after these matters—

> "This additional sum was required for the completion of the purchase of the Clockmill or Belleville estate immediately adjoining Holyrood Palace, and carrying with it a right of way through the Queen's Park, it having been found impossible to purchase the property with the amount (£15,000) previously voted for the service."

What he found fault with was, that the Government had not, in this instance, exercised a fair amount of discretion and judgment. Last year the First Commissioner of Works asked for £15,000, and they granted it because they were simple enough to believe that he had arranged to pay that sum to the Clockmill proprietors for their estate. But they immediately turned round and said—"No; we want £3,000 more." The right hon. Gentleman, before he asked for the £15,000, should have settled that point with them. But he now came and said that the Clockmill estate was worth £3,500 more than he thought. Of course, these persons directly they saw that Parliament had voted £15,000 wanted more for it.

Mr. MELDON said, that this was the first time he had ever heard the hon. Member for Edinburgh (Mr. M'Laren) in that House advocate the expenditure of public money. Whenever any Irish Vote came on there was not a more energetic opposer of it than the hon. Member, who would not vote a single penny for any purpose in Ireland. Whenever public money was asked for public Parks in the Metropolis no complaint was made, and the money, without stint, was voted; but if it was asked for other parts of England, for Scotland, or for Ireland, if it was granted at all, it was granted in such a niggardly manner that it was not worth having. If this Vote was for the benefit of the public, he, for one, would not oppose it; but such was not the case. He thought this Vote was the most monstrous one that was ever proposed, because it was really for the purpose of preventing houses being built near the Palace of Holyrood. If it had been for a public Park it would have been different, because he was quite willing that public Parks should be purchased in the North of England, in Scotland, or in Ireland. But when the money was wanted to remedy a sentimental grievance in connection with Royalty, there seemed no difficulty in getting it. On the ground, therefore, that this Vote was asked merely to prevent the erection of dwellings for the citizens of Edinburgh, within sight of the caretakers of the Palace, he would oppose it. But there was a much more serious objection to the manner in which the money was sought to be obtained. He asked the House to look at the precedent it would be setting. The sum of £15,000 was originally asked by the Government for the purchase of this Clockmill property, upon the faith of a statement that a contract was entered into for the sale for this amount; and the consent of Parliament having been obtained upon this statement, a further sum of £3,569 was immediately required to complete the purchase. If they established this as a precedent, it would be followed again and again. What was there to prevent a Government asking the assent of Parliament to the purchase of a property, or to the expenditure of a sum of money, upon the ground that the bargain was a good one, or the expenditure small; and having established a principle by this means, then to turn round and ask for a Supplementary Vote. An inducement was also held out, by a procedure similar to the present, for persons dealing with the Government to extort money. With reference to the Clockmill estate, the owners were willing to sell for a much smaller sum than was now asked; but when they found Parliament was willing to vote the money, they raised the price, and even now they had no guarantee that if this additional sum were voted they would not be asked for a still further advance. Inasmuch as Her Majesty visited Holyrood Palace only once in about a quarter of a century, he hoped this Vote would not be granted; especially in the obnoxious and dangerous way in which it was asked for, which was to supplement a Vote already obtained.

Mr. VANS AGNEW said, if the hon. and learned Gentleman who had just sat down had known anything of the locality, he could not have made the speech he had. He did not seem to be aware that Holyrood was an old historic Palace, occupied almost annually by some members of the Royal Family, and annually by a Representative of Her Majesty, who kept a sort of Vice-regal Court there, as the Lord High Commissioner to the Church of Scotland. It was eminently a Royal Palace. It was situated at the extremity of the Queen's Park, which was probably one of the finest Parks in the Kingdom, and contained the whole of Arthur's Seat, from which was obtained most picturesque and beautiful views of the surrounding country. This magnificent property might be greatly deteriorated if the Clockmill estate was let for building purposes. The Government proposed—and very properly—that the estate should be acquired, and there was no objection made to this last year, when the sum of £15,000 was voted for the purpose. That, however, proved insufficient, and the purchase was now opposed, because a comparatively small additional sum was asked for. He hoped the Committee would agree to the grant of this surplus sum, in order that this addition might be made to the Park—not so much with the view of enlarging it as to prevent the erection of buildings which would destroy much of its beauty.

MR. M'LAREN supported the Vote, because he considered that this was not merely a local matter, but an improvement to one of Her Majesty's Palaces. To a large town an estate of a few acres, placed quite at the corner of the Park, could not be of the importance that some hon. Gentlemen seemed to imply this was to Edinburgh. The purchase was quite out of the way of those who walked in the Park, and had nothing to do with the amenity of Edinburgh. The estate was in the market; a builder got hold of it, and was proceeding to build working men's houses upon it. Surely it was the owner of the estate adjoining—the Crown—who should look after the amenity of this public property, and not the people of the town. It was not the business of the holder of the small property to add to the amenity of an adjoining estate, but to make money by selling it for building land. If he did that, no doubt he would get £18,500 for it. If the Government chose to sell it, they might make even more money out of it in the course of time, for the value of such land was rising rapidly all round the city of Edinburgh. It seemed a most logical matter that the Government should purchase this small corner of ground in order to improve the amenity of an estate and Palace belonging to Her Majesty. The hon. and learned Member who had just spoken (Mr. Meldon) had accused him of never defending anything Irish in the case of expenditure. The fact was, he grudged expenditure whenever it was unnecessary or extravagant, either in Ireland, Scotland, or England; and if the hon. Member would look at the Estimates submitted to the House year by year, he would find there was about six times as much voted for parks, buildings, hospitals, and all kinds of things in Ireland as there was in Scotland.

MR. MARLING was quite satisfied that this Vote would be thoroughly popular with the country, and hoped it would be passed.

SIR HENRY HAVELOCK thought the Government were seriously to blame for not having purchased this land at the price at which it was offered to them last year; and if it were possible to bring that home to any individual concerned, he certainly should go with his hon. Friend and Colleague (Mr. Gourley) in resisting this Vote. There was certainly great culpability on the part of someone who administered public affairs in losing the opportunity of purchasing at a reduced rate. But there was another side to the subject, which he was sure would commend itself to the opinion of everybody in that House when they came to consider it. Holyrood Palace and the adjuncts to Holyrood Palace were not by any means a local question, but had an historical interest, extending over many centuries, to the whole of this country. It was alleged that this Royal Palace was occupied only once in a century; but, in fact, it had distinct functions from year to year as a residence of Her Majesty's Representative. He could not conceive a more absurd notion than that the object of this purchase was to enclose the Royal residence from contact with certain houses to be occupied by the labouring class. There could be nothing more fallacious. The Royal Palaces in every part of this Kingdom were surrounded by buildings of all clsases, and it was no part of the policy of Her Majesty to cut herself off from any class of her subjects. The essential point of this purchase was a right of way. If, unfortunately, advantage was taken by those who were sharper than Her Majesty's Government to purchase this property in order to ask an enhanced price for it, and if, in consequence, the right of way had been parted with, he thought this sum would be wisely expended in preserving this privilege.

Major NOLAN said, it seemed that Scotland got very little money from the Exchequer. ["No, No!"] He had always complained that both Scotland and Ireland got very little money from the Exchequer, and he intended to vote with the Scotch Members. The hon. Member for Edinburgh (Mr. M'Laren) was a man of very economic disposition, especially when it came to be a question of a Vote for Ireland; but he thought it was better policy to support than to oppose the hon. Member in this Vote, for the Scotch Members wanted it, and were the best judges whether it was needed, and he hoped to get their support in turn, when it came to be a question of a grant for Ireland.

Mr. D. JENKINS asked if the purchase of this estate had been completed?

Mr. GERARD NOEL said, it had been completed.

Mr. O'DONNELL said, that some of the arguments he had heard were calculated to make Irish Members vote against this grant. It was a question whether this was really necessary for Holyrood House, and whether, looking to the fact that Holyrood House had very rarely a Royal visitor at all, it was of any remarkable use. It was said that Holyrood Palace was the residence of Her Majesty's Commissioner on Ecclesiastical affairs—["No, no!"]—then Her Majesty's representative of the Kirk of Scotland—the Lord High Commissioner—and that he during his residence held a sort of semi-Court. If they were to compare the circumstances of Holyrood House in Edinburgh and of the Parliament House in Dublin they would find a difference. The Parliament House of Dublin was turned over to a banking corporation, while they had not only large sums to keep up Holyrood House, but large sums for all sorts of extensions and additions to it; because it was used for the purposes of the Presbyterians of Scotland. The argument brought forward was one to a large extent intended to recognize the Ecclesiastical dignitaries of Scotland. He certainly had his mind made up to vote against this demand, especially looking to the very slovenly manner in which the bargain was concluded; but he thought he would take the advice of his hon. and gallant Friend (Major Nolan), and just for the special purpose of overwhelming the Scotch Members with kindness, he would bow to their wishes and vote with them.

Sir ANDREW LUSK said, he liked to have everything honest and straightforward, and he could not understand why it should be so objectionable to have lodging-houses erected close to the Queen's Park. He knew there were tenements near to Holyrood to which criminals ran for refuge, and he understood that this estate was closer still; but now the hon. Member for Edinburgh (Mr. M'Laren) had told them that this land was some distance off, in an out-of-the-way corner, and he wanted the amenities of the Palace to be maintained, and the Palace kept from being overlooked. Perhaps the Chancellor of the Exchequer would give them some further information on the subject.

Mr. ANDERSON said, the hon. Member did not know the ground, or he would not speak of its being in an out-of-the-way corner, far away from the Palace. For himself, he did not care much about the "amenity" of the Palace; but he did care something about the amenity of the Queen's Park, which was really the people's Park of Edinburgh, and the little piece of land in question went right into the middle of it, and was surrounded on three sides by the Park. He should be glad if the hon. and gallant Member for Galway (Major Nolan) and his Friends would vote for it; because, undoubtedly, they had a splendid Park at Dublin—Phœnix Park—which was kept up at the national expense. It was very desirable that Edinburgh should have this improvement made on its public Park.

Dr. KENEALY said, the objection to the Vote arose from the fact that it was an increase from last year, and it ought to be explained why, when the sum of £15,000 was granted for the purchase of this particular estate, the purchase was not carried out at the time. It was setting an exceedingly bad precedent to have a Supplementary sum added to the original Vote.

Mr. GRANT entirely corroborated what had been said by the hon. Member for Edinburgh (Mr. M'Laren) on this question. It was not a question of advantage to the city of Edinburgh, or of an addition desired by it at the public expense to its public Park. It was entirely a question concerning the Royal Palace, and the money, if granted, would be for the benefit of the Inhabitant of that Royal Palace—Her Majesty herself. There was an argument in favour of the Vote which had not been brought forward. It had been the policy of the First Commissioner of Works for several years past to endeavour to clear away a number of buildings in too close proximity to the Royal Palace, and if this purchase was not carried out, and these new houses were allowed to be built, it would be abandoning the advantage gained by clearing away the other edifices in the neighbourhood of the Palace, and losing the benefit of the public money spent for the purpose. The hon. Baronet (Sir Andrew Lusk) had urged the claims of the north side of Hyde Park to have crocuses, hyacinths, and so forth, placed there, and the improvement of this Park in Edinburgh stood on exactly the same footing, and, therefore, he claimed the hon. Baronet's vote in favour of the grant.

MR. BIGGAR said, there was a remarkable difference between Scotch Members on this matter, some saying the ground was entirely for the amenity of the Palace, and others that it was to increase the public Park. He would like if the Scotch Members could agree among themselves before making appeals to the House. He was told this Clockmill estate was 15 acres in size, and that they were going to add 15 acres to 800 acres. It seemed to him that the party who was selling this property was making a Jew's bargain of it. The House should set its face against such a thing.

COLONEL STANLEY was sorry that the explanation given in the foot-note to this Estimate did not convey the whole history of this transaction to the minds of hon. Members. The facts were simply those as stated. The House last year passed a Vote of £15,000 for the purchase of this estate, and it was distinctly understood by the Treasury that that sum would be sufficient to complete the purchase. But the agent, after receiving his instructions, believing it to be his duty to secure the estate, and acting on his own responsibility—he did not say whether he entirely agreed with him or not—closed the bargain for a higher sum than had been voted. [Mr. MONK: With the permission of the Treasury?]. The matter was exactly as he had stated. The bargain had to be concluded. The agent, acting on his own responsibility, had concluded the bargain at a higher price. For a long time the Treasury refused —and he ventured to think his hon. Friend would say they rightly refused—to sanction this further payment, or to submit any Supplementary Estimate to the House respecting it. Having, however, gone so far, it came to this—either to throw up the bargain altogether and be placed in the position in which the were in the first instance, or else to have the property vested partly in the name of the agent and partly in the name of the Crown. A choice of evils was thus presented; but it was perfectly impossible that they could submit to a joint conveyance or a joint occupation in having the property vested in private individuals side by side with the rights of the Crown. On consideration, therefore, and not without very grave censure being passed upon the person who acted in the manner he had described, the Government, on the whole, thought it better to place the matter in a Supplementary Estimate, and to obtain the sanction of the House for getting out of the difficulty in the way they thought best. He hoped that, having given this explanation, the Committee would allow the Vote to pass.

MR. RYLANDS thought it desirable the hon. and gallant Gentleman should state whether the agent who had acted in the manner described was a public officer, or simply a local lawyer, to whom was entrusted the purchase of this property.

MR. W. H. SMITH replied that the individual in question was the Law Agent for the Woods and Forests for Scotland, who was paid by fees, and was not in the receipt of a salary.

Question put.

The Committee *divided*:—Ayes 109; Noes 13: Majority 96.—(Div. List, No. 49.)

Vote *agreed to*.

(5.) £150, Harbours, &c., under the Board of Trade.

GENERAL SIR GEORGE BALFOUR complained strongly of the expenditure upon Spurn Head, for which he understood they were asked to vote this sum. Originally, a very large sum was spent upon the harbour there, and year by year expenditure was going on upon it, while no explanation was ever given. The very useful Return of the Expenditure on Harbours since the first year of this century, which had, on his Motion, been laid before the House, showed that out of nearly £10,000,000 so spent, about £30,000 had already been laid out on Spurn Point. He complained very much of the continuance of this expenditure, not because he was unwilling to give money for harbours, but because he saw no earthly use in periodically voting away money as to which no Return was given, and no information supplied as to the object or utility of this outlay. They were constantly asked, upon these Estimates, to vote money for one purpose which was meant to be applied to another. Here was a case in point. The Government wanted £600 for works at Spurn Point, and they took it from Votes granted for other places. It was unfair to take money meant to be devoted to Harwich, Ramsgate, or Dover, and apply it to this harbour; but this was what had been constantly done, and though it was no new thing, it ought to be put an end to. In the Appropriation Accounts, he found that no less than £1,000 was spent upon Dover Harbour, which was taken for another purpose. Now, no Member could keep himself acquainted with the expenses of these different harbours if the Board of Trade was allowed thus to transfer money from one harbour to another. More than that, he found on turning to page 43 of these Estimates, in the Vote for "Civil Contingencies," a Vote of £1,470 for the Port of Dover; and he appealed to the Chancellor of the Exchequer and the Secretary of the Treasury to prevent money intended for Dover Harbour being applied for elsewhere than in the regular Vote for Harbours.

Lord JOHN MANNERS rose to Order. He did not think the question of Dover Harbour arose on the Vote.

The CHAIRMAN did not think the hon. and gallant Gentleman out of Order in thus illustrating his argument.

General Sir GEORGE BALFOUR said, he was on the Committee for Dover Harbour, and he had not there heard any allusion to this sum of £1,470 as an expense in connection with that investigation. But more than that, it appeared that though voting money nominally for Dover, the Committee was in reality granting funds, part of which, it would appear, was for Spurn Point. In regard to Spurn Point, he thought they were throwing good money after bad. But what he complained of most was this system of transference; and he suggested that the Board of Trade, whose President never said one word about the harbours under its control, should follow the example of the Inland Revenue and Customs Departments in presenting annual Reports. Nothing would please the country better than to receive an annual Report from the Board of Trade, containing a record in black and white of what had been done with the harbours not only under the Board, but of all the harbours in the United Kingdom. No one could be more ready than he to recognize the good temper and the straightforward manner in which the President of the Board of Trade met any request for explanation; but so long as they were without an annual statement such as he had indicated, there would be dissatisfaction with the way the Harbour Department of the Board of Trade performed its duties.

Sir CHARLES ADDERLEY desired to remind the Committee that to Spurn Point considerable importance was attached, and that the House voted sums each year for the purpose of making good defects that must from time to time arise in the works. During the past year Sir John Coode recommended that certain works should be completed before the winter came on, and these works came to £650. Of that sum £500 was derived from savings on the other harbours—at least it would not be so immediately required upon these other harbours—and the Vote now asked for was the balance which they required to cover this outlay.

Mr. DILLWYN objected to the system of anticipatory savings, which was simply asking more for a particular purpose than was wanted for that purpose, and then applying the so-called saving to some other object. He did not object to vote money which was really called for; but he did object to vote it without knowing what it was for, and he would not be a party to a vicious principle which would by degrees sap and undermine the control which the

House of Commons had over the public expenditure.

COLONEL STANLEY said, that, so far as he was aware, the saving in question arose from certain works considered necessary, but which it was not imperative they should go on with at once; while there could be no question about the urgency of the works at Spurn Point. Under these circumstances, the transference took place without either inconvenience or injustice.

GENERAL SIR GEORGE BALFOUR said, the Board of Trade had spent a very large sum upon works of this nature, with very little result indeed. More than that, the Harbour Department of the Board of Trade failed to furnish the House with that information as to results which every branch of an office spending public money ought to supply. This method of voting money for one purpose, and then for the President of the Board of Trade to use it for another and very different purpose, was likely to lead to negligence, and, in the interests of the public service, it should cease.

SIR ANDREW LUSK was of opinion that when money was taken for a special purpose, it should be devoted to that purpose, or else returned into the Exchequer.

Vote *agreed to.*

(6.) £651, Wellington Monument.

MR. WHITWELL expressed the hope that when they had passed this sum, the item would be removed from the Votes. The Vote had been continued from year to year almost beyond his recollection, and he was sure the Committee would be glad to hear when the Monument would be completed. They all desired to have the opportunity of visiting it, and being assured—as he trusted they would be—that their expenditure had been satisfactory.

MR. BERESFORD HOPE trusted, before the First Commissioner of Works answered this touching appeal, he would consider whether he could not give some promise to the Committee that this would not be the last time upon which this Monument would be mentioned in their Estimates. Like his hon. Friend, he felt a great relief to think that the work had gone on so far. Anyone who had studied the history, and considered the tone of art, in England for a quarter of a century and more, would be glad to see it so far completed; but he was bound to direct the attention of the Committee to the fact that the so-called completed Wellington Monument, which was soon to be thrown open to the public, was miserably mutilated from what the artist designed it to be. In the conception of the great artist who designed it, it was to be crowned by an equestrian statue of the Duke; but a former First Commissioner of Works (Mr. Ayrton), a gentleman who, as they knew, had a strong conviction that he had a taste, and a strong way of enforcing what he believed to be taste—cut off that statue, and the Monument would now be what was called completed without it. Everyone who could at all appreciate or grasp the original design, or recollect the examples in Italy from which it was derived, must know that, in its present shape, the Monument gave a very inadequate idea of its artist's genuine conception.

MR. DILLWYN regretted that the kind of taste for saving the public purse which characterized Mr. Ayrton was not more frequently exhibited, and he was bound to say that he had never known a more efficient administrator.

MR. GERARD NOEL said, the Monument was now practically completed, and in a few days he hoped it would be open to the public. He would not express any opinion regarding it, farther than to say that he believed it would be admitted to be one of the finest Monuments in London. As to the remarks regarding the original design, and whether anything could now be done to carry it out more fully than had been done, that was a matter of consideration.

SIR ANDREW LUSK feared, large though their expenditure had been upon this matter—and it had much outgrown the limits originally fixed for it—that they had not got what they had expected, and what he believed they had a right to expect.

Vote *agreed to.*

(7.) £9,000, Natural History Museum.

SIR TREVOR LAWRENCE called attention to the excavation at the east end of the Museum, which had now been in existence two years, and had become a large pond. It was a nuisance to the neighbourhood, and the exhalations arising from it were very offensive. He hoped it would be promptly filled up.

Mr. GERARD NOEL was afraid he could not give the assurance that it would be filled up till the building was finished.

Vote *agreed to.*

(8.) £9,545, Public Offices Site.

Mr. BERESFORD HOPE said, before asking the Committee to pass this Vote, he hoped his right hon. Friend the First Commissioner of Works would give them the comforting assurance that something would be done to carry out the recommendations of the Committee presided over by his hon. Friend the Member for the Isle of Wight (Mr. Baillie Cochrane), of which Committee the First Commissioner was an active Member, as was also the present First Lord of the Admiralty. It would be in the recollection of the right hon. Gentleman that very strong recommendations were made as to the necessity and indispensability of completing the block of Public Offices down in that part of London. In the Committee two competitive schemes were advocated—those of Sir Henry Hunt and Mr. Mitford. Mr. Mitford's scheme would put the buildings further to the north, and give a straight roadway from St. James's Park to Charing Cross. From what they heard the other day they might assume that this scheme did not most prevail with those in authority, and it would be necessary to fall back on Sir Henry Hunt's plan, of building the Public Offices north of Great George Street. This Vote might be a small instalment in favour of that scheme. He trusted it was so, and that the right hon. Gentleman would take that opportunity of stating exactly what progress had been made.

Sir GEORGE BOWYER also asked for some further explanation in reference to the Vote. The Select Committee which sat last year had had several plans before it for the erection of Public Offices, and he wished to know to which of these the purchase of the house in Great George Street had reference; because it was obvious that before the Government purchased land they ought to have decided upon the plan they were going to adopt, and where the Public Offices were to be situated. The Committee had looked very favourably on the proposal to build Public Offices on the land at present occupied by Drummond's Bank, and go right down Parliament Street to the Admiralty; and he wished to know whether the Government had decided to adopt that suggestion, and, if not, where the new site for the Public Offices was intended to be?

Mr. GERARD NOEL said, he was hardly in a position to state what the intentions of the Government were in reference to the recommendations of the Committee which sat last Session. With respect to the Vote under discussion, it was for the purchase of a house in Great George Street, which had been offered to the Government on advantageous terms. The Committee would remember that the Government had already purchased several houses in that street.

Mr. WHITWELL asked for further information on the subject. The Committee was quite aware that several houses in the locality referred to had been purchased; but was it intended to acquire the whole of the north of Great George Street, with a view to the erection of Public Offices there? Were the Government acting under the powers of any Act of Parliament in making these purchases, or were they acting in anticipation of an Act being passed?

The CHANCELLOR of the EXCHEQUER said, the principle upon which this purchase had been made was the same as that on which other houses had been purchased in the neighbourhood—that was to say, offers of a favourable kind having been made it was thought desirable to take advantage of them and purchase detached houses on reasonable terms, the Government feeling convinced that whenever a great purchase might have to be made, they would be in a better position by having already acquired some of the leases at moderate prices. Of course, the money was not lost, as it was invested in houses that paid rent, and were not unremunerative. With regard to the plans for the erection of Public Offices, submitted to the Committee, that of Mr. Mitford, which involved carrying the Mall through into Trafalgar Square, was, no doubt, a very fine one, but it would also be a very expensive one. The chief recommendation of that proposition was that it would have been a great metropolitan improvement; but the Government would not feel justified in expending the public money in effecting metropolitan improvements. The other plan—that of Sir Henry Hunt—would, no doubt, meet the requirements of the Public Offices; but it would involve a large expenditure, and the present was not an opportune moment for incurring it. The Government did not, therefore, come forward at present with any proposal on the subject.

MR. O'DONNELL was curious to know the amount of the legal and other expenses connected with the purchase?

MR. GERARD NOEL said, the expenses were £303, out of which £200 was paid to the solicitor, and the remainder to the surveyor.

Vote *agreed to.*

(9.) £10,200, Science and Art Museum, Dublin.

MR. RYLANDS said, he did not rise to object to the Vote, but he wished for a fuller explanation of its specific object. This was a new expenditure, not contemplated when the Civil Service Estimates were submitted; and, therefore, it was desirable that something should be said as to the circumstances under which it was asked for. Unless those circumstances were of a very remarkable character, the Government was scarcely justified in asking in the Supplementary Estimates for a Vote which ought to be placed in the Estimate for the year. He objected to it on these general grounds, though, no doubt, the Vote might prove to be a very valuable one. He thought the discussions on Votes as between Ireland and Scotland were very much to be deplored; the money ought to be considered to be voted not on the principle of giving so much to Scotland and so much to Ireland, but on the merits of each particular proposition submitted to the Committee. They ought not to hear suggestions of bargains being made between Irish and Scotch Members for returning each other's support in reference to money grants. The main consideration in all such matters that ought to guide the judgment of hon. Members was whether the object to which the Vote was to be applied was a good one.

COLONEL STANLEY replied, that if the hon. Member looked to the Preamble of the Dublin Science and Art Museum Act, passed on the 14th August last year, he would find the following words:—

> "Whereas it is expedient to promote the study of science and art and literature in Ireland, and for such purpose to make provision with respect to the erection of a Science and Art Museum, and the establishment of a National Library in Dublin, and with respect to such matters as are conducive to the above purposes, or incidental thereto, &c."

The Act empowered the Commissioners of Public Works to acquire from the Royal Dublin Society and others land for the erection of a Science and Art Museum, and the purchase of the Library and one of the Collections at a cost of £10,000; and the present Vote was to carry that measure into effect. The sum of £200, in addition to the £10,000, which together made up the amount of the Estimate, was for interest on the money from the 14th August, the amount not having been made over owing to the delay caused by legal forms. The same rate of interest was given as if the money had been invested in 3 per cent stock.

SIR ANDREW LUSK did not find fault with the amount of the Vote, but asked for further explanations as to its meaning? The Vote was for the Science and Art Museum, Dublin, and the explanation appended to it on the printed Estimates was that it was in consideration "for certain lands, buildings, &c., and also for certain Collections and Libraries;" but what, he asked, was meant by the latter? He was old enough to remember that when the noble Lord at the head of the Government had a seat in this House, and desired the House to grant money for the purchase of objects of art, he specified the treasures he proposed to buy. That was the proper course to take. The Estimates said certain "Collections and Libraries;" what collections and libraries were meant? It ought to be fairly stated what the money was wanted for, and not put down in that indefinite way which would cover anything.

MAJOR NOLAN said, this was not making a grant of additional money to Ireland, but it was merely pulling up arrears. It was a notorious fact, that for many years, Ireland never received the same amount in proportion to England for instruction in Science and Art. Even the sum now granted was a very small one, and something more was required to put Dublin on the same footing as London, in reference to science and art teaching.

Sir ANDREW LUSK again pressed for some further explanation of the Vote? He desired to know that value would be received for the money.

Mr. W. H. SMITH said, he was afraid his hon. Friend had failed last Session to watch the progress of the Bill which had now become an Act of Parliament. This Vote was simply in compliance with that Act, and was the engagement to which the hon. Gentleman himself was a party. By Section 5 of the Dublin Science and Art and Museum Act, it was provided that—

> "The consideration to be given or paid by the Commissioners for the transfer of the Society's lands, and the Collections of the Society, shall be a sum of £10,000, to be paid out of moneys provided by Parliament."

By passing the Vote the hon. Baronet would only be carrying out the engagement he promised to fulfil, and paying the debt he, as a Member of the House, undertook to pay.

Vote *agreed to.*

(10) £2,630, Lighthouses Abroad.

Mr. D. JENKINS asked for an explanation of the items?

General Sir GEORGE BALFOUR said, the Vote showed a large increase over last year, and it was too bad that there should be no information given by the President of the Board of Trade as to the cause of this increase. Many parts of the world still required to be provided with lighthouses, and it was not fair that the Committee should be called upon to increase the Vote year by year for one or two lighthouses without any explanation being given, either as to the state of these lights, or as to why some coasts were so favoured by the Board of Trade, to the neglect of other coasts.

Mr. O'DONNELL said, there were several sums under this Vote that were made up of one numeral and two cyphers. Of course, such a method of making up accounts was free from embarrassment and easy to calculate; but it was strange that the level amounts should always be reached. Under one sub-head, for instance, the oil that from delay in shipment was not charged in the Estimates for the year was put down at £700; the wages of the crew of the extra tender at £500, and Repairs at £600.

Sir ANDREW LUSK thought some further information ought to be afforded to the Committee upon the item of £290 — the expenses of a lightkeeper returning to England, and sending out a new lightkeeper to the Falkland Islands. It appeared a large sum; and although there might be no occasion to divide about it, the Committee ought to have particulars as to how it was spent.

Sir CHARLES ADDERLEY said, the item of £290 was charged in consequence of a lighthouse keeper having to be sent out by the Trinity House to the Falkland Islands to fill the place of another who had fallen ill. Other items were for the repair of the various lighthouses in harbours, and for the accommodation of an assistant lightkeeper. As to the observations of the hon. Member for Dungarvan (Mr. O'Donnell), some of these payments were for contracts entered into for the year at specific amounts.

Mr. D. JENKINS said, it was impossible that it could have cost £290 to send a lightkeeper out to the Falkland Islands in a boat. Less than half the amount would have paid his passage.

Sir CHARLES ADDERLEY said, the hon. Gentleman must remember that there was also the expense attendant upon the return of the lightkeeper who had been replaced, and was obliged to come home.

Vote *agreed to.*

Class 2.—Salaries and Expenses of Public Departments.

(11.) £1,200, Treasury.

Lord FRANCIS HERVEY asked for some explanation of the payment to counsel who did not form part of the recognized staff of Parliamentary draftsmen. The Select Committees which sat two or three years ago on the Office of Parliamentary Counsel laid down that he should be responsible for all Bills drafted; but, since that time, it appeared that the principle then laid down had been departed from, and that large sums were now paid to counsel outside the Office for drafting Bills.

Mr. RYLANDS said, it struck him that this was one of the most objectionable Votes in the Estimates. They paid under the Estimate £3,000 a-year to the

Parliamentary counsel, £2,000 to an assistant counsel, £200 to a clerk, £150 to another clerk, and there were other small expenses—in all £5,500. They also took in the original Estimate for additional assistance, £1,700 as fees to counsel. The Government now asked them for £900 in addition; so that while the total expenditure under the Estimates for Parliamentary counsel, with clerks and expenses, came to £5,500, they actually were asked to pay, in addition to the original sum, £2,600 as fees for other counsel outside the Office, or an increase of one-half over the sum first asked for. This was most objectionable, and he felt quite unable to comprehend the meaning of it. The note put down was to the effect that a large additional expense outside the Office had been rendered necessary in consequence of the Bills introduced into Parliament during the Session of 1877. The Session was generally admitted to have been a barren one; but it certainly had not been barren in counsel's fees. Unless he had a satisfactory explanation, he should be inclined to move the reduction of the Vote.

COLONEL STANLEY said, the explanation in this case was not a very difficult one. The Treasury was very conscious of the inconvenience that would result in having, in any case where it could be avoided, to go to counsel outside the recognized staff for assistance in preparing Bills. At the same time, he must remind the hon. Gentleman who had last spoken, that although it was true that the number of Bills which passed last Session might not have equalled some more productive years, still a large number of Bills were prepared and laid on the Table which passed some of their stages, but which, owing to various circumstances, did not arrive at maturity. Those Bills had to be prepared by a draftsman. One of them —the Bankruptcy Bill—cost in preparation between £800 and £900, that measure having been most expensive on account of the many complicated provisions it contained. The Parliamentary counsel was obliged to employ outside assistance, partly from the strain in his own Office, and partly from the technical nature of the Bill. The same explanation applied to another Bill. The Treasury endeavoured, as far as possible, to see that the preparation of Bills connected with the various Departments was conducted through the Parliamentary Draftsman's Office; and an additional Minute had been recently circulated, calling attention to the constitution of the Office.

Vote *agreed to.*

(12.) £350, Colonial Office.

(13.) Motion made, and Question proposed,

> "That a Supplementary sum, not exceeding £1,750, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Salaries and Expenses of the Civil Service Commission."

SIR ANDREW LUSK objected to the amount of the Vote. He said he had some doubt as to the expediency of the Commission altogether, and he certainly saw no reason why the cost of it should go on increasing year by year, as it had done for some considerable time past.

MR. BRISTOWE wished to know whether the Civil Service Examiners had been engaged elsewhere than in London? It was very desirable that facilities should be afforded to such young men as wished it to be examined locally; otherwise the expense would be so great that many men whom it would be advantageous to have in the Civil Service of the country would be debarred from presenting themselves for examination. If examinations took place in local centres, he should not think it would be necessary to maintain as large a staff of Examiners in London as might otherwise be necessary.

COLONEL STANLEY said, the Examining Staff was not a permanent body, but were engaged with reference to the particular examinations which had from time to time to be held. Last year there was an increase in the number of candidates for the Army examinations, and a decrease in the others; but there was, at the same time, a costly examination held at the instance of the Privy Council Office. There was, he might say, an increasing disposition to hold the examinations locally, wherever practicable, on account of the mutual convenience; but it did not necessarily follow that the fact of their being so held would decrease the number of Examiners necessary to be engaged in London.

MR. O'DONNELL, referring to the new regulations in regard to the examinations for the Indian Civil Service, said, the Civil Service might have conferred great advantages upon England and Scotland; but in Ireland the advantages had not been found to be nearly so great. In England and Scotland education was so widely diffused that almost all the places of honour and profit in the Civil Service were within the grasp of young men who might aspire to them; but in Ireland they had no forms of higher education really intended to reach the mass of the people. The consequence was that in Ireland the talent of the country was lying waste and unproductive; except in so far as some young men, who had not in Ireland the means of completing their education, had obtained as much as possible in their own country, and had then completed the work in England, before presenting themselves for examination. It was the fact, however, that certain recent regulations issued by the Government had shut out conscientious Roman Catholics from the benefits of the Indian Civil Service examinations. Down to a recent date Catholic students, educated in the Catholic University in Ireland, who passed the examination for the Indian Civil Service, became entitled on so passing to allowances of £150 for the first and £200 for the second year devoted to the study of the Native languages and other matters with which it was necessary for the student to become acquainted before he could usefully enter the Service. As he (Mr. O'Donnell) was informed, Her Majesty's Government, in cases where Catholic students come up for examination, refused to grant them the ordinary sustenance allowance which was still granted to the non-Catholic persuasion, which system he did not think just. A young Irishman had no chance of entering the India Civil Service unless he abandoned Catholic University teaching, and accepted that of one of the mixed Universities in England. Oxford and Cambridge were, however, considered by no means advantageous in a Catholic point of view. It thus happened that Catholic students who passed the Indian Civil Service examination would be deprived of the allowance given to their Protestant compeers unless they went to Universities in England and Ireland which were contrary to their religious convictions. He could not see that the Civil Service Commission had claims upon the support of Irishmen, seeing that its operation was unfairly worked for the benefit of one class of Her Majesty's servants and the disadvantage of another. He should be glad to hear that he was misinformed; but he was afraid that matters stood as he had been informed.

Question put.

The Committee *divided*:—Ayes 191; Noes 8: Majority 183.—(Div. List, No. 50.)

(14.) £50,412, Local Government Board.

Sir WALTER B. BARTTELOT said, he wished for some explanation of the great increase in the charge for pauper lunatics. The original estimate was £470,000; the present additional sum required was £50,412. The foot-note to the Vote was a somewhat curious one, and required that something should be said concerning it. The note was as follows:—

> "The number of pauper lunatics in respect of whose maintenance the grant of 4*s*. a week is made proved much higher than had been expected in consequence, to a considerable extent, of the additional asylum accommodation which had become available."

The number of pauper lunatics added was 5,000, and he should like to know where those people were before the "additional asylum accommodation" was provided; because it might be a question as to whether they came, with strict propriety, under the description of pauper lunatics.

Mr. BRISTOWE said, there had been an extraordinary increase of this Vote in recent years, and the fact was not explained to his satisfaction by the foot-note, which stated that "it is also necessary to provide for certain Arrear Charges properly belonging to 1876-7."

Mr. SCLATER-BOOTH said, he could not wonder that an explanation of the Vote should be asked, although the growth of the Vote was both natural and unavoidable. The excess could not, however, have been anticipated, because the repayments in respect to pauper lunatics were not made until the completion of the half-yearly audit, which began shortly after Michaelmas, and was not completed so as to become a charge upon the Department until Lady Day, or even later than that, in the following year. Many of the lunatics now chargeable were in private houses before they entered the asylums as pauper lunatics. His hon. and gallant Friend was probably aware that a very large asylum was opened last year in the county of Middlesex, capable of accommodating 1,700 patients. Another large asylum was opened in Lancashire. All these additions to the number of asylums came suddenly on the Department. They could not be known beforehand, inasmuch as the Department had no means of ascertaining what additional accommodation was about to be provided by counties and boroughs. When, however, new asylums were erected, lunatics were placed in them by the operation of the law, and the policy of Parliament most distinctly had been to relieve the ratepayers somewhat from the higher and excessive charge which the maintenance of lunatics in asylums undoubtedly entailed. It was said that many of the inmates of lunatic asylums were persons who ought not to be there at all. Well, that had been found out too late. The asylums had been built under the provisions of Acts of Parliament, and the policy of the Commissioners for many years had been to get the lunatics maintained in these asylums, and not to allow them to be kept either in the workhouses or amongst their friends at home. That being so, the asylums became full, and then it was discovered that many of the chronic and imbecile cases in the asylums might perhaps as well have been out of the asylums, if there were other proper places for them. The County Government Bill, introduced by him in the present Session, contained provisions for the cheaper maintenance of lunatics of this kind, and he believed that that would prove to be one of the most useful parts of the measure. During a series of years, as his hon. and gallant Friend (Sir Walter B. Barttelot) had found, there had been a large increase in the total number of pauper lunatics maintained in asylums; and as from time to time new asylums were opened, a still larger number of cases would be swept in, and that, of course, must cause a further increase in the Vote. There was no doubt, however, that the whole of this money was properly expended, and no subventions were paid till after the accounts had been duly audited.

MR. WHITWELL could not help thinking that, in consequence of the grant of 4*s*. per head, there were in the lunatic asylums a great number of cases which ought not to be there. It was necessary, by some means or other, to sift the cases; and he trusted the right hon. Gentleman would be able to meet this difficulty before another 4*s*. per head was granted; for, otherwise, Parliament must insist that a cheaper provision should be made for lunatics. He quite agreed with the right hon. Gentleman that the County Government Bill would meet the case to a very considerable extent, and he had no doubt that counties would be willing to avail themselves of that clause.

SIR GEORGE CAMPBELL thought there had been a very great disposition to sweep into lunatic asylums and to treat scientifically a class of people who might very well be retained in their own homes. He came from a county—namely, Fife—which was supposed to be peculiarly lunatic. For a long time past he had seen lunatic asylums growing and growing; but he must say his own impression was that a very large proportion of those people were those who in Scotland were called "Fifeish," and need not be treated scientifically in asylums.

MR. RYLANDS said, that in the county with which he was connected there was a complaint that the subvention of 4*s*. per head in the case of lunatics resulted in persons being sent to the asylums who ought not to be placed there. He was very glad the hon. and gallant Baronet (Sir Walter B. Barttelot) had brought this matter under the attention of the Committee; because he had a strong impression that the rates were increasing in volume, and he doubted very much whether the country got a proper return for the expenditure. He hoped that the Government would bear this in mind, and that they would not be so ready as they had hitherto been to grant subventions which tended to very heavy expenditure.

MR. RAMSAY thought the Report of the Select Committee on Lunacy, which was presented last Session, should satisfy hon. Gentlemen that there was very little ground for believing that the people of this country were becoming lunatics in greater numbers than they did formerly. At the beginning of the present century they had few places for the confinement of persons afflicted with mental disease. But since Parliament had seen fit that asylums should be provided, it was but natural that the relatives of persons suffering from mental disease should take advantage of those institutions, and that Poor Law Guardians should remove lunatics from the wards of workhouses. Those circumstances were the chief cause of the apparent increase in the number of lunatics.

Mr. GOLDSMID observed that, at all events, there was an increase in the number of pauper lunatics. He was visitor of the pauper lunatic asylum in the county of Kent for several years, and he might mention that during the last few years the county had been obliged to build a very large additional asylum. His right hon. Friend the Secretary of State for War resided in that part of the county, and probably knew something about it. Undoubtedly, it was a fact that the number of pauper lunatics had very largely increased, and that it was still on the increase. It had been alleged that the great amount of railway travelling was one cause of lunacy; but, at all events, that did not affect the pauper class, and it remained for the medical faculty to find out the reason for the increase. He could not join his hon. Friend opposite in deploring the large addition of persons in the asylums; because, in his judgment, it was much better that lunatics should be under public supervision, instead of being kept in private houses of the smallest description, where they could not be properly looked after, and where they, by their presence, would often be doing serious injury to the other members of the family. For that reason, he was desirous that this sum should be voted.

Mr. FLOYER thought that a certain class of lunatics might be maintained at a cheaper rate in detached portions of the asylum buildings set apart for their reception. The right hon. Gentleman had not shown sufficient grounds for his proposal that a considerable addition should be made to the number of lunatics sent to workhouses.

Mr. SCLATER-BOOTH denied that he had ever advocated anything of the sort. He had advocated sending them to their imbecile asylums.

Mr. VANS AGNEW, having had experience in the management of a large lunatic asylum, wished to point out that asylums were maintained for two objects. The first was to cure persons mentally diseased, and he did not think the country would grudge the expenditure of money when it was likely to restore the valuable gift of reason to those who were unhappily bereft of it. A considerable percentage of the patients were cured; but a large class who were not cured drifted into what might be called chronic lunacy. The latter class, he thought, might be drafted into other houses maintained on a less expensive scale than the lunatic asylums. Whether such houses should be separate buildings or attached to the lunatic asylums was a matter of minor consideration. The point he wished to bring before the Committee was that the chief function of asylums was the cure of lunacy, and not the detention of those who were incurable.

Vote *agreed to.*

(15.) £4,000, Mint, including coinage.

Sir GEORGE BOWYER said, the House was first told that the Mint was to be removed to a spot near Whitefriars, and next that it was to be removed to a place near the Savoy. He wished to know whether it was intended to remove the Mint; and, if so, where it was to be removed to?

The CHANCELLOR of the EXCHEQUER was afraid he could not give his hon. and learned Friend, at this moment, the information he required. The subject was under consideration.

Mr. CHILDERS said, one item in the Vote was for "loss on worn silver coin withdrawn from circulation," and it was said that "more worn silver coin had been sent in from the Colonies than had been anticipated." Was it to be understood that this country was to bear the loss on the wear of silver coin in the Colonies? In some Colonies the dollar was the current silver coin, while other Colonies — notably Australia — used the shilling, and had a Mint of their own. He wanted to know whether this country was to bear the expense of re-coining the dollar or the shilling, where there was a Colonial Mint? Considering the present state of the silver question, the charge might become a very large one indeed in the course of a few years.

THE CHANCELLOR OF THE EXCHEQUER requested the right hon. Gentleman to repeat his question on some other occasion. He could not give an answer off-hand.

Vote *agreed to.*

(16.) £1,229, Patent Office.

(17.) £1,350, Public Works Loan Commission, and West India Islands Relief Commission.

GENERAL SIR GEORGE BALFOUR said, that a part of the Vote was for "other legal charges," and the Vote explained that the excess was caused by the heavy expenses of the Wigan Church case. Now, he complained that the Public Works Loan Commissioners had not exercised sufficient diligence in the discharge of their duties in lending money on the security of the Wigan church rates. The country had already lost a large sum, and being further called on to vote a considerable sum for legal expenses incurred from insufficient security having been taken, he pressed the Government to postpone the Vote until explanatory Papers had been placed upon the Table.

COLONEL STANLEY admitted that the result of the litigation had not been satisfactory; but the Government had no alternative but to adopt the course they recommended to the Committee.

MR. RYLANDS hoped the Vote would not be pressed until the Papers referred to had been produced.

MR. RAMSAY considered the figures inserted in the Vote were misleading, and required explanation.

COLONEL STANLEY said, with regard to the Wigan Church case, no doubt the result had not been, on the whole, satisfactory. Still, it was not a matter for which either the Treasury or the Government could be held responsible. In 1870 the Public Works Loan Commissioners took proceedings in the Court of Queen's Bench for the recovery of the debt due in respect to the Church, and they got a verdict; but this verdict was subsequently reversed.

GENERAL SIR GEORGE BALFOUR asked that the Vote might be postponed until they had before them all the Papers relating to the matter. He complained of the manner in which many of these loans were obtained; and it was desirable there should be the utmost publicity given to all the facts connected with them. The detailed accounts of all the loans by the Public Works Loan Commissioners were seen to be in arrears for more than seven years. It was time that full and complete accounts should be rendered. Indeed, it would be easy for the Public Works Loan Commissioners to issue an annual statement of all the loans outstanding.

MR. RYLANDS described this loan as a public scandal, and said it had long been viewed in that light by the people of Wigan. The fact was that the Church authorities in Wigan obtained several thousand pounds from the Public Works Loan Commissioners, and the Commissioners had incurred heavy legal charges in endeavouring to get the money back. They had failed to obtain repayment of the money, though they had appealed to a Court of Law; and it appeared to him the whole business was a blunder on the part of the Commissioners. No doubt the Secretary to the Treasury was correct when he said the Government could not be blamed for the prolonged litigation which had taken place; but the Committee had a right to have all the facts before it, prior to being asked to vote this money. He should not have spoken with so much confidence on this subject had it not been for the fact that a year or two ago a clergyman in Wigan sent him an account of the proceedings, and characterized them as a public scandal, to which attention ought to be drawn. The Church authorities got hold of several thousand pounds, and the authorities from whom they obtained it were unable to get it back again. What the Church authorities in Wigan ought to have done was to have raised the money in some manner or other, in order to prevent the legal proceedings which had taken place.

MR. MUNTZ said, the Vote they were now asked for was not money advanced to the Church, but money expended in legal proceedings trying to get the other amount back again. They had not only lost the money which was originally advanced, but the amount now objected to, which had been expended in trying to get the other sum back. No doubt the Treasury had done their duty; and he did not see how they could save the money if they postponed the Vote.

General Sir GEORGE BALFOUR contended what the Public Works Loan Commissioners had done formed a very bad precedent, and that they ought to be put in possession of all the Papers, and have further time for discussion before passing the Vote.

Mr. RAMSAY considered that there was a discrepancy in the Vote which had not been explained.

Colonel STANLEY admitted that it might have been more correct to have stated the Vote in a different form; but the whole of these expenses had arisen out of proceedings which the Public Works Loan Commissioners thought it necessary to institute, and those proceedings had been defeated by the decisions of the Courts of Law.

Mr. RAMSAY said, as the hon. and gallant Gentleman admitted the Estimate might have been more correctly stated, he should withdraw any further opposition.

Vote *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £100, be granted to Her Majesty, to defray the charge which will come in course of payment during the year ending on the 31st day of March 1878, as a grant in aid of the preparation and publication of 'Hansard's Parliamentary Debates.'"

The CHANCELLOR of the EXCHEQUER: Mr. Raikes, I propose to withdraw this Vote. The money is not at present required. It was put into the Estimates in order to afford hon. Members an opportunity of discussing the subject of a provisional arrangement entered into between the Treasury and Mr. Hansard with a view to improve the report of our debates; but, as I stated in answer to the hon. Member for Swansea (Mr. Dillwyn) at an earlier period of the evening, I think it will be convenient that this arrangement should be referred to a Select Committee. It will, therefore, probably be the most convenient course to take any discussion which may be desired on the appointment of the Committee. I say this the more because we are now in a difficult position as regards time; and I must point out that unless we are able to finish these Estimates to-night—which I am afraid will be rather difficult—we shall be obliged to ask the House to sit to-morrow morning. Possibly, we may even then be in some difficulty in getting through the Estimates this week. In order to get the Appropriation Act for these Supplemental Estimates passed before the close of the financial year, it will be necessary we should get the Vote passed, and, if possible, reported by Saturday. Thursday—the next Government night—has been promised long since to the Scotch Members for the discussion on the Roads and Bridges (Scotland) Bill, and I cannot propose to disturb that arrangement. Therefore, if we are not able to finish the Estimates to-night, I must ask the House to sit to-morrow morning. I do not wish to occupy further time; but I withdraw the Vote now before the Committee.

Mr. J. COWEN said, he understood the arrangement which had been entered into was this—that Mr. Hansard was to have £3,000 for the purpose of publishing extended Reports of the proceedings of the House during the meetings in Committee and late at night.

Mr. MUNTZ rose to Order. There was no Motion before the Committee, the Chancellor of the Exchequer having withdrawn the Vote.

The CHAIRMAN: The hon. Member (Mr. J. Cowen) is perfectly in Order, because the Question before the Committee is that the Vote be withdrawn.

Mr. J. COWEN said, he was not accustomed to speak without having something to say; and, if the hon. Gentleman would only wait, he would find he had something to state which was quite appropriate to the Motion before the Committee. As he understood, the Government had promised to give Mr. Hansard £3,000. Now, in consequence of that promise, Mr. Hansard had entered into certain engagements in respect to reporting. The question he (Mr. J. Cowen) desired to ask was whether, now that the Government proposed to withdraw this Vote, the engagement with Mr. Hansard would be fulfilled? If that engagement was not carried out, it must place Mr. Hansard in an extremely unpleasant and disadvantageous position.

The CHANCELLOR of the EXCHEQUER: The arrangement entered into with Mr. Hansard is a provisional one, and for the remainder of the financial year, which ends on the 31st of March. It was also to be subject to the approval of the House. I hope there will be no difficulty in meeting the claim of Mr. Hansard.

SIR ANDREW LUSK was very sorry the right hon. Gentleman had been obliged to withdraw this matter to-night. In his opinion, it was a very good proposition; and, if Mr. Hansard had made arrangements to carry on this reporting, it was scarcely fair to withdraw the Vote in this way. Let them be fair to Mr. Hansard; and, if the Vote was not to be proceeded with to-night, the sooner it was brought forward again the better. Many hon. Gentlemen had come down to the House to support this Vote, and they had been placed in rather awkward circumstances by its having been withdrawn.

MR. SANDFORD said, he understood that on the appointment of the Committee the Chancellor of the Exchequer would allow the discussion on the subject to take place.

Motion, by leave, *withdrawn.*

(18.) £871, Chief Secretary for Ireland Offices.

MR. O'DONNELL did not understand and required explanation as regarded two matters mentioned in the Vote. First, there was an item of £107 for drafting a Bill to amend the law relating to the registration of assurances in Ireland; and, in the second place, £300 was charged for travelling expenses. Perhaps this latter sum had something to do with the late alteration in the *personnel* of the Chief Secretary's Office; but, as a rule, he thought too much expense was incurred in travelling between Dublin and London. It was certainly one of the disadvantages of having the nominal seat of Government in Dublin and the real seat of Government in London; but these repeated journeys had to be made by officials who looked upon them, no doubt, as very pleasant trips at the expense of the country. In these days of the telegraph and the Post Office, he considered they might well be able to cut down this item of expenditure.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, it was absolutely necessary that a certain number of journeys should be made between the Government Offices in Dublin and London, and this number must vary from year to year. As to the charge for drafting the Bill for the Registration of Assurances, it was prepared by a gentleman with eminent qualifications for the task. After it had been very fully gone into, a Royal Commission was appointed to consider the whole matter, and the Bill would be of use to that Commission.

Vote *agreed to.*

CLASS 3.—LAW AND JUSTICE.

(19.) £23,400, Law Charges.

MR. WHITWELL asked how it was that the salaries of the Admiralty Legal Branch had been omitted from the original Estimate?

MR. C. BECKETT-DENISON wished to remind those hon. Members who cried out for the luxury of a Public Prosecutor, what they had in store if such an appointment took place. The present Vote was an example of what they would have to provide in the shape of legal expenses.

COLONEL STANLEY admitted that the cost for criminal prosecutions during the past year had been very considerable. The amount of legal business now transacted for the Treasury, and which was borne on the Navy Estimates for the year 1876-7, caused an increase of something like £6,700, which had to be provided for. That constituted a transfer simply from the Admiralty to the Treasury, which it was deemed desirable to make for the sake of uniformity. A further increase of the Vote was due to the expenses which had been incurred in certain protracted criminal cases.

SIR ANDREW LUSK protested against the growing custom of unduly prolonging criminal proceedings in their earlier stages. A great deal of time was wasted in that way; while juries were subjected to a very severe and, in his opinion, quite unnecessary amount of inconvenience and even positive suffering.

MR. FORSYTH expressed his concurrence in the view which the hon. Baronet had taken. The enormous increase of £21,000 under the head of criminal prosecutions was, he thought, due to the re-duplication of evidence before the Police Courts, and afterwards before the Judges. It was now, in fact, the practice to try a man twice over, and he had observed with surprise that in the cases of the Queen *v.* Meiklejohn and the Queen *v.* Benson, the proceedings had occupied a longer time before the magistrates than when the defendants had afterwards been tried at the Central Criminal Court. In his opinion, that length of time was unnecessary; for all the magistrates had to do was to ascertain that there was a strong *primâ facie* case against a prisoner, in order to justify them in committing him for trial.

Mr. BULWER said, he entirely differed from his hon. and learned Friend who had just spoken, and hoped that no magistrates would be so far misled as to follow his advice. Unless a case were thoroughly investigated before a magistrate, very great dissatisfaction would, he thought, be the result. A magistrate, he contended, instead of being satisfied with a merely *primâ facie* case against a prisoner, should hear all the evidence which could be adduced against him, so that when he was placed upon his trial before a Judge, he might know what it was which he was called upon to answer. It would be a gross injustice to a prisoner if he were sent to prison upon what to the justices might seem a *primâ facie* case, and at his trial he were to be confronted with any number of witnesses, not one of whom had he seen, or had an opportunity of cross-examining, or of rebutting their evidence. The public were very jealous, indeed, upon the subject of a prisoner having a fair trial; and he hoped no change would be made which would tend to lessen their confidence in the fair administration of justice.

Sir WILLIAM FRASER was not surprised to see so large a sum as £21,000 charged in the Estimates, when the protracted trials which had so much excited the attention of the public last year were taken into account. He looked upon the charge, however, as most preposterous.

Mr. O'DONNELL suggested the propriety, in the case of very long and complicated trials, of giving juries somewhat ampler remuneration than they received at present. The country, he thought, would not grudge the outlay for such a purpose, and it would tend to popularize the jury system.

Vote *agreed to.*

(20.) £16,000, Criminal Prosecutions, Sheriffs' Expenses, &c.

(21.) £2,000, London Bankruptcy Court.

(22.) £13,598, County Courts.

(23.) £5,300, County Prisons, Great Britain.

(24.) £6,056, Reformatory and Industrial Schools, Great Britain.

(25.) £1,065, Register House Departments, Edinburgh.

(28.) £1,260, Law Charges and Criminal Prosecutions (Ireland).

(27.) £210, Court of Bankruptcy (Ireland).

Class 4.—Education, Science, and Art.

(28.) £60,000, Public Education (England and Wales).

(29.) £350, National Gallery.

(30.) Motion made, and Question proposed,

> "That a Supplementary sum, not exceeding £352, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Queen's University in Ireland."

Mr. O'DONNELL objected to the item of £231 for Medals and Prizes. The standard of education, he contended, in the Queen's University in Ireland was ridiculously low, and to lay out money upon it as proposed was neither more nor less than subsidizing a great institution to degrade public instruction. He had some personal experience of the results of the system pursued in the University. He recollected having obtained a Scholarship in modern languages, a second in political economy, and a third in law and jurisprudence; but he had had a competitor only on one occasion, and he, having failed, was rewarded with an exhibition. In the Queen's College, Cork, too, he found that exhibitions were last year given to all the unsuccessful candidates. Such a system under which some sort of prize was awarded to everybody was productive of evil both inside and outside the University. The attraction of an University degree was perverted to a lure to draw pupils from the schools of the country before they were really fit to go to the University. But when to the attractions of a degree those of pecuniary emoluments were added, the result was still more injurious to the schools, for it directly tended to lower their standard of education. If there were a high standard for the examination at the University boys would not, of course, leave the public schools until they had become masters of that high standard; but once a low standard of examination was established, then, of course, confusion was carried into the whole system of intermediate education. The Government had promised to introduce a Bill dealing with intermediate education in Ireland. He did not know what the proposals were which they intended to make on the subject; but one of the first steps they ought to take, he maintained, was to reform or remove a so-called University which was pushing down intermediate education and driving the grammar schools of Ireland back more and more into the condition of elementary schools. There was, he might add, no end to the variety of the degrees conferred by the Queen's University, which the Committee was asked to encourage by granting money to be laid out in prizes and scholarships. The University did not in any way deserve the patronage of the House of Commons; and to squander the money of the State upon it would be not to support, but to injure and degrade education. The Queen's Colleges were first established purely for the purpose of giving liberal and general instruction to the youth of Ireland. It was not even contemplated to have in them professional schools, or that a University degree should be given to engineering or medical students. Now, however, from the hour an engineering student entered the University to the hour he left it with his degree, he was not required to attend a single class of general liberal education. In the same way, the 500 medical students, accounted a credit to the University, could not be counted as University students; and the institution that palmed them off as results of a University system was not acting fairly by the country; and those parties who were trying to hide the failure of the Queen's University were not discharging their trust to that House nor their duty to Ireland; but, on the contrary, were doing all in their power to support a sham education which was a failure and a mass of false pretences. He did not say a word against the medical education which was given in the University as medical examination. They knew that before the Queen's University was established there were medical schools at Cork and at Belfast; but no one thought that on that account general education was provided for at Belfast and at Cork. He looked upon these things as part of the same system of conferring small pecuniary rewards and petty distinctions, which were only of value so far as their nature was unknown. The gold medal at the Queen's University only represented that the man who held it had been successful in a competition against men very imperfectly educated. He might have a certain amount of special knowledge; but his gold medal was no mark of general culture. He had known men of the University plucked in competition against boys scraped together from schools of the better sort. The gold medal carried with it no guarantee of culture; and he protested against an institution conducted on such a principle, and against public funds being any longer voted to bolster it up. He should be glad to hear any explanation the Government might have to offer—but he could not suppose it would be satisfactory — for pressing this extra demand on the public purse. If it were satisfactory, however, he should be happy to accept it; but he made those observations in the hope that they might learn something from the Government that might preclude the necessity for further proceedings against that institution.

MR. PLUNKET said, that the hon. Member who had just sat down had on a former occasion, in the present Session, called attention to that subject, when he had brought in a Bill affecting the Queen's University and the Queen's Colleges; and he had told them that evening that there had never been any contradiction to his statements, and that there could be no doubt those institutions were an entire failure. He took care, on the last occasion when he introduced this subject, that there should be no answer to his statements upon it, for he talked out his own Bill, and so sufficiently prevented a reply. On this occasion, he (Mr. Plunket) was quite prepared—and on future occasions, also, he should be prepared—to answer him, in a manner which he trusted the hon. Member would judge—from the sample he (Mr. Plunket) was now about to give—to be ample and adequate. It would, of course, be out of Order for him (Mr. Plunket), at present, to refer further to what passed when the hon. Member introduced his Bill. But from the reply which he (Mr. Plunket) would now make to the latest utterance of the hon. Member, perhaps the House would be satisfied as to what amount of credit should be attached to what he said. The hon. Member, in stating his case against these institutions, no doubt ought to be able to speak, as he claimed to do, with some authority on the subject, as it was altogether in them that he acquired whatever knowledge he possessed; and among the Irish people, ever since he left the Queen's College, he had been, as they learned from the Irish papers, devoting himself to the task of denouncing and calumniating the University in which alone he obtained his education. The hon. Member had certainly made some very serious charges this evening; but he had not directed them against the political principles, or the system of education adopted in these Institutions; and he would confine himself to that which he had brought forward—namely, that which he alleged to be a gross excess of prizes given in the Queen's Colleges. Having condemned these institutions as a huge machinery for the degradation of learning, one might have thought that the hon. Member would have gone on to describe the sort of graduate that was turned out by a system whose machinery he had so much disparaged; for it was a matter of no small importance to the public what kind of value was to be attached to these degrees. He (Mr. Plunket) would explain his own ideas on this subject, in order that the House might contrast them with those of the hon. Member for Dungarvan. A University graduate should, he held, be one whose mind was stored with the fruits of deep and earnest study; whose habits of thought had been refined by the influences of ancient and modern classics, and whose manners had been polished by intercourse with the best and brightest spirits of his time—one, in fact, who enjoyed that most winning of all charms—the character of a scholar and a gentleman. Such a man would certainly secure in his College career the respect and affection of his companions, and would probably carry with him through his life a well-deserved popularity. The hon. Member had, however, assured the House that the graduates of the Queen's University were the exact opposites of all of this; but the only argument he had adduced in support of that assertion was that he had—in order to exemplify the kind of article turned out by the damaging process he had described—exhibited himself to the House as one who had obtained successively three prizes and a degree in the Queen's University. So far as that illustration of his proposition went, it was not for him (Mr. Plunket) to dispute the fulness of the proof. This much, however, he would say — that in the Profession to which he had himself belonged in Ireland, some of the most distinguished men he ever met—men who were at the head of that Profession — were the graduates, and the distinguished honourmen, of that very University, and of those very Colleges which the hon. Gentleman had assailed. It had been his misfortune to be beaten by some of these—and he was proud to have been defeated by them. But he need not go outside the walls of that House for confirmation of those statements, for next to the hon. Member for Dungarvan on the benches opposite sat one of the hon. Members for Galway Town (Dr. Ward)—a Member to whom the House always listened with pleasure and advantage—and he had been an alumnus and a Professor of the College at Galway, and he appealed to that excellent and popular Member as another proof of what the Queen's University could do. The hon. Gentleman who introduced that Resolution had, in support of his case, boldly stated a number of cases, without giving any notice, and with which, therefore, he (Mr. Plunket) could not at that moment pretend to grapple in detail; but he had also told them, generally, that the students who were professional students in the Queen's Colleges and the Queen's University were wholly devoid of any general education, except such as they might have accidentally scraped together in going through those institutions. Well, he could tell the House of many of his own friends in Ireland—men eminent for their learning—who did get there the remarkable scholarship and ability he had found in them. But he would ask the Committee to permit him to read to them what the fact was, as stated by one of the officials whose business it was to manage the affairs of Queen's University, and they would then see how far it was true that professional knowledge only was absolutely necessary for the degrees and honours of the University. [Having quoted from the Secretary of the Queen's University, to show that there was no remission of the Arts curriculum, in order to enable professional students to come in, but that the Arts studied in the general curricula were, to a considerable extent, incorporated in the requirements of professional students, the hon. and learned Gentleman went on to say that no one went to these institutions except for the sake of getting the prizes.] He would not detain the Committee by going through the whole of the prizes; but he would just state a few facts which he also had on the authority of the Secretary of the Queen's University. At the examination, in October, 1877, to the prizes obtained at which that Supplemental Estimate had reference, it appeared that 363 candidates were examined. Of that number, 66 received prizes; about one in six received honours of the first and second class; but to the candidates for the higher degrees, only about one in 14. He could state that as an absolute fact with regard to the Queen's University; but he would compare that result with the University of Oxford, and he was informed by the same authority that whereas about £5,000, including £4,500 of public money, was annually distributed among 810 students, giving about an average of £6 for each student, in the University of Oxford there was distributed annually about £80,000 among the 3,000 undergraduates, which gave an average of about £26 per student. Therefore, by the arguments of the critics of the Queen's University, the reason why Oxford got more students was that it bribed them four times as much! He (Mr. Plunket) asserted that those attacks stood without proof, and had really no substantial foundation whatever. He (Mr. Plunket) stated himself that he had met over and over again, in every walk of life, most distinguished men and ripe scholars, who had been turned out by those institutions. He knew that the Art students were, as a rule, even more busy and more earnest in their work than those who attended the University; and he took the reason to be, that they belonged to a class who did not go to the University to pass away their time. They were men who looked to their University studies as the means whereby they might afterwards earn their livelihood in the world, and who thus acquired knowledge that was useful to themselves and to the country. And were Englishmen and Scotchmen to be made to believe that they had devoted time and trouble for nothing, and that the degree they had obtained was so bad it had no authority and gave no guarantee? It was a most unjust proceeding. It implied that those who gave away those prizes had been guilty of a gross abuse of their trust; that they had lavished honours where they were not wanted; that they had given degrees and awarded standards of excellence that were unfounded and untrue. And he said it was unjust and untrue to stamp all those young men who had worked hard to win those distinctions, and trusted to go out into the world and make their way with them, to tell the assembled Commons that it was all a sham and a humbug, and that they deserved nothing for their pains. How harsh must be the acrimony—how vindictive the enmity that instigated these calumnies? Such cruel charges ought not to be brought forward on no more attractive argument than the hon. Gentleman had, in his own person, offered. He would now only say, in addition, that if the hon. Gentleman should think it prudent again to bring forward accusations of that kind, and gave him a fair opportunity for dealing with them, he would undertake to answer him fully; but he hoped that, as far as the present occasion at least was concerned, he had satisfactorily and adequately fulfilled his expectations.

DR. WARD said, he had had the honour and the pleasure of a long connection with the Queen's University, and many of the most pleasant and most useful of his days had been passed under its shelter; but, at the same time, they must not shut their eyes to facts. The Vote had been before the House for years, and they were now asked to go another step in strengthening an institution which had been set up in Ireland in direct opposition to the wishes of the people, and set up by a Government which, at the same time, refused to meet their wishes. They were asked to make further provision for the requirements of youth in Ireland, at the same time that the House was aware that the people of Ireland had all along protested against those institutions, and had asked that, at least, the House would allow those who had conscientious convictions against them to possess one of their own, to which they might go, and to which they might send their own children. That was the whole issue before the Committee. They had a fair right to demand an explanation on that point. It was true the prizes were not great, but they were large for a poor country; and there was this remarkable fact—that those portions of the Queen's University which dealt with Art was founded by that House, and endowed by that House, for the purpose of spreading liberal education in Art. If they came to the Colleges of the country —to that of Galway, for example—they found an extraordinary state of things. It was true that at Belfast they had more students on the lists; but at Belfast there were peculiar conditions in connection with the Presbyterian Church which made the number relatively large. In Galway College, however, they found students exceedingly few. Galway, in fact, had not more than 40 students, and Cork not more than 50. It was a fact, that in the whole Province of Munster they could not get more than 50 students to enter for the Art education given in the College at Cork. What he said was this—that Munster, with a large Catholic population, and that the great mass of the Irish people, refused, from conscientious motives, to avail themselves of those institutions. He did not object to their keeping them up; but he did object to their trying to force into them the Irish people, who refused, from conscientious convictions, to enter them. That was a point they had brought before them again and again; and when they persisted in refusing them their rights and in keeping up a system of religious intolerance, how could they wonder at their coming thence from Ireland to protest against their conduct? He thought they could meet the case very fairly. He could not see how they could even obtain in Galway and in Connaught the fair results of their expenditure in money under the present system, while they refused them their just claims. Could not they give one College, say in Dublin—anywhere, in which a Roman Catholic could get his son educated without wrong to his College? What they proposed did not meet their just and conscientious convictions, and they would not dare act in a similar way in Scotland or in England. The Queen's University was a purely State University, and the whole education of Ireland was in the hands of the State, which Mr. John Stuart Mill had declared to be the worst state of things a nation could be under. That was the case in Ireland, however, from the primary school up to the University. On national grounds, therefore, they were bound to prevent their continuing to do in Ireland that which they would not do in Scotland or in England; and they must object to the Vote as one which would strengthen an institution which the Irish people disapproved of, unless they would meet their views in another way.

Major NOLAN observed, that last year an arrangement was made with the Irish Party in reference to this Vote. The hon. and learned Member for Limerick (Mr. Butt) had a Bill to which he attached great importance, and he had a sufficiently good position in the House to be able to ask the Government to give a day for the discussion of it without making any conditions. It was then understood that there was to be no debate on the Queen's University Bill—no substantial debate, at least, as to its principle—in return for the Government allotting a day for a debate on the Catholic University Bill. That arrangement was faithfully kept by the Irish Members. The Irish Members voted in great force on the Catholic University Bill, and there were more than two to one in favour of the Bill. But when the news of the division was received in Ireland—of the large Irish Vote in favour of the Catholic University, and the still larger English vote against it—and when the speech of the Chief Secretary for Ireland was read, there was very great indignation excited. He thought the feeling in the country was that the people would be very sorry to see any money voted for the Queen's University without protests on their part, and protests as strong as the forms and customs of the House would permit. The House must also remember that when these Colleges were established the Irish revenue was not large, and Ireland did not contribute so much to the Exchequer as it received. But now matters were changed; and after paying for the large military forces retained in Ireland—including the Constabulary—Ireland contributed a large sum to the Imperial Exchequer. As a consequence, every penny spent on these Universities came out of the pockets of the Irish people; and, therefore, even hon. Gentlemen opposite would surely admit that there was reason for the great indignation felt in Ireland that they were not permitted to spend their money in their own way. They had no objection to secular Colleges, and would readily vote money for them, if there were any secularists in Ireland; but they did object to Protestant Colleges being endowed and Catholic Colleges not being endowed, although the Catholics, from the manner in which the taxation was arranged, so as to fall on the lower classes, bore the greater part of the expense of that endowment. As a consequence, they had to maintain a system of education which they disliked, and which he would not say they despised—because it did a certain amount of good—but he would say that they had to pay for an education that they disliked. Though the system proposed by the right hon. Gentleman (Mr. Lowe) was not a wise system, yet his Party infinitely preferred to let each sect do the best they could for themselves than to accept the present system, by which they were handicapped and placed at every possible disadvantage. It so happened, owing to a variety of circumstances, that they had not been able to protest as strongly as they would have liked against this Vote. The hon. and learned Member for the city of Limerick (Mr. Butt) did not bring in his University Bill until last year, because other measures stood in the way. But now circumstances had changed. They had discovered that hon. Gentlemen opposite were opposed to endowing a Catholic University, and knew what their course must be. It was true that they were helpless, and could not prevent their money being spent in a way they disliked; but, still, they could show their feeling on the subject to their countrymen by making a vigorous protest. He should very much wish to see the debate adjourned. The day previous was St. Patrick's Day, and many Members had not yet returned to the House. They had joined in voting the £700,000 asked of Ireland by the Government—for that was their proportion of the £6,000,000—for war preparations, and he now called upon the House and the Government to refuse to waste this money upon the education of the children of Ireland.

COLONEL STANLEY said, he would not follow either of the hon. Gentlemen who had last spoken into the very intricate subject of Irish University education, because there would be other and more satisfactory opportunities of doing so. He did not question the absolute propriety of the course they had taken; but he did think that this particular moment was not the best moment for the Amendment brought before them, or a peculiarly suitable means for discussing so great and wide a subject. The hon. Member for Dungarvan (Mr. O'Donnell), who spoke with even more than his usual impetuosity, argued, from the fact of his being a prizeman of this University, that the University did not afford sufficient means of education.

MR. O'DONNELL said, he must beg to correct the hon. and gallant Member. In the first place, he never used the argument; and, in the second, as a joke this assertion was sufficiently played out already.

COLONEL STANLEY said, if he had been led into a misrepresentation, of course he would immediately withdraw it; but there was no doubt that the hon. Gentleman did press very strongly on the House that the standard of education was not such as to justify this large number of prizes. For his part, he thought that to go into an elaborate examination of the various systems of prizes which obtained in various places would not be a very profitable expenditure of public time. The point they had to deal with was that this system of prizes had been established for a considerable time in the Queen's University—he was told that the same system obtained at Cambridge — the prizes had been awarded, and it was not for one moment intended or attempted to be established that the candidates who had won them were in any way inferior to their predecessors. It was true that the number of prizes was in excess of last year; but that was due to the larger number of students in the University, and was no reason why these prizes rightly earned should be withheld. As to the very small item of excess, he thought that was very fully explained in the foot-note. The hon. Member for Dungarvan was so fully acquainted with the subject that he need not state what the prizes were, except to say they were distinctions of an exceedingly moderate character. He trusted, after this explanation, that the Committee would sanction the Vote.

Mr. GOLDSMID said, that several hon. Members from Ireland still wished to speak; and, therefore, he would ask the Chancellor of the Exchequer whether he would take any more Votes after this? It was then a quarter-past 1; and as the last two speeches had each taken 20 minutes, if three more Members spoke the Vote would not be taken before a quarter-past 2.

The CHANCELLOR of the EXCHEQUER said, he thought this a very reasonable proposal. The Government would finish this Vote, and take the rest of the Estimates at a Morning Sitting next day.

Mr. SULLIVAN said, the Chancellor of the Exchequer wanted money for war purposes, and the Irish Members now freely offered him what he was tendering to them. It was really too bad thus to cram money down their throats that they did not want. Was it consistent, also, thus to take money with one hand and throw it away with the other? If money was wanted for the defence of England, let the Government take what they were needlessly squandering on this monstrous imposture. He complained very much of the Irish Members for allowing four Sessions to pass without bringing this matter up, and informing the House of the real nature and character of these Queen's Colleges. He knew something of the way in which these prizes were given; and he believed that if they stopped 20 men going through Temple Bar, and out of the 20 selected 10 of the most stupid, that 9 out of the 10 would get prizes in the Queen's Colleges in Ireland. In fact, to a certain class of students in Ireland this was a most profitable trade and occupation, and they were enabled to support themselves upon these prizes, so few of the men at these Colleges were genuine students. He hoped his Friends would resist to the last this attempt, not to spend money in the spread of education, but to bribe young men to take part in a system which otherwise had no merit.

Mr. O'DONNELL said, his object in moving to reduce this Vote was by no means to afford amusement to hon. Gentlemen opposite, but to raise a thorough protest against this so-called University. The hon. and learned Gentleman the Member for the University of Dublin (Mr. Plunket) was the *advocatus*—he would not say *diaboli*, but certainly the advocate—of an extremely unprepossessing defendant, and he seemed to have been very imperfectly informed even in regard to the poor merits of his very bad case. He would not refer to the personal remarks of the hon. and learned Gentleman, especially as he enjoyed the advantage of an audience by no means favourable to himself; but in an assembly of their countrymen the hon. and learned Gentleman would soon find on whose side the feeling was. The hon. and learned Gentleman, to controvert his statement that in the medical schools the education of the students was purely professional, declared that they learnt chemistry and zoology. He hoped the hon. and learned Gentleman was more proficient in legal than he was in medical matters. It must be something new to the medical men in that House to learn that zoology and chemistry were outside the ordinary course of education of a medical man. The hon. and learned Gentleman also called attention to the wonderful fact that students of engineering were required to know a certain amount of geology and mathematics! It was with arguments of that sort that the hon. and learned Gentleman had been instructed to meet the facts quoted. Let the hon. and learned Gentleman ask the Professors what they thought. Professor Thompson, who formerly was a master of a school at Edinburgh, relating his experience to a trans-Atlantic audience, declared that, as a Queen's University Professor, he had to do the same work of elementary teaching as he did in Edinburgh. "Most of my first year students come to me utterly innocent of Greek," said the Professor, and yet the hon. and learned Gentleman extolled the character of the examination which admitted these students. He could produce any amount of evidence to this effect. Again, in the Report of the Endowed Schools Commissioners would be found what the schoolmasters had to say on the deleterious effect of the Queen's University College examinations upon the standard of intermediate education. The hon. and learned Gentleman, of course, had no exact acquaintance with the Queen's University system. He only came forward and volunteered his championship, because he found an Imperial institution under criticism, and because his sympathies were naturally attracted to the defence of a system which was condemned by the vast majority of his countrymen, and was defended by none but Members of that Party which had ever trampled on the rights of Irishmen. The hon. and learned Gentleman had compared the Queen's University with Oxford, and pointed out that while in Oxford one student out of every seven received prizes, in the Irish University the proportion was one in 14. But did he take the trouble to ascertain how many Arts students there were among the 300 and odd so-called University students whom he had quoted? If he had, he would have found that the proportion of prizes to students was by no means one in 14. He said nothing, be it remembered, against the quality of the professional teaching in the medical schools, because that was good and sound, and the medical degree was held in just honour. What they wanted in Ireland was the establishment of a University system, giving broad, liberal, and general culture. It was the Arts Faculty that had been a total failure in the Queen's University. First, it was a total numerical failure, and then, in defiance of the protests of the Queen's University graduates, the standard was lowered and the examination made a sham. This was a charge he had made, and would continue to make, till they had extorted from the Government a full and thorough examination into the system of Arts examination in the so-called Queen's University of Ireland. The hon. and learned Gentleman who, doubtless, meant to be accurate, said that he was only distinguished for his opposition to the University after he had left it. Had the hon. and learned Gentleman been better acquainted with the subject, he must have known that both as an undergraduate and as a graduate he (Mr. O'Donnell) was conspicuous by his exposure of the evils of the system. He scarcely agreed with his Colleagues (Dr. Ward and Major Nolan) in their desire for the endowment of secular Colleges; but all he did say was that the Government were welcome to endow Colleges for mixed education, for Presbyterians, Protestants, Hindoos, and Mussulmans, if they choose; but the Catholics had a right to a system of education in conformity with their religious convictions; and as long as they were refused their share of the common taxation towards the support of an educational system in conformity with their views, they could not be expected to sanction the grant from their pockets of funds to be spent in the support of institutions intended to sap the religious convictions, to injure the faith, and to flout the religious opinion of the vast majority of the people of Ireland. He begged to move the reduction of the Vote by £231, the sum required for these extra prizes.

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £121, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Queen's University in Ireland."—(*Mr. O'Donnell.*)

MR. O'CLERY said, though the ability shown by hon. Members who were graduates of the Queen's University seemed to prove that the education given was scarcely so bad as they stated, yet he must remind the Committee that the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) thought the Galway College so complete a failure that he left it out of his Bill on University Education. Apart from the question of the goodness or badness of the teaching, they had a right to consider what the majority of the nation thought. Now, in Ireland, 97 per cent of the people were Catholics, and he would venture to say that during the last 10 years not a single Catholic parent had sent his sons to a Queen's University. He hoped the Vote would not be allowed to pass without the most strenuou sopposition; because only in that way would they convince the Committee and the country how sincere was their demand for denominational teaching, not only in primary and intermediate education, but in University Education.

Question put.

The Committee *divided:*—Ayes 18; Noes 118: Majority 100.—(Div. List, No. 51.)

Original Question again proposed.

MAJOR NOLAN moved to reduce the Vote by £56. Hon. Gentlemen would see that there were five items in this sub-head. The first had just been challenged, and now he challenged the second, because he believed his constituency would wish every item of this Vote to be disputed. This was a question of great importance to Ireland, and he very much wished they might be allowed to adjourn the discussion till the next day. In the last division, so far as he could judge, but two Irish Members voted with the Government, while 20 voted against them. That division was a very fair representation of the feeling of the people of Ireland. For the last four Sessions they had hoped that the Government would do something for denominational education in Ireland. They believed that up to last June; but now that hope had vanished, and they could only do all that lay in their power to show the feeling of Ireland as regarded the present system.

Motion made and Question proposed,

"That a Supplementary sum, not exceeding £296, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Queen's University in Ireland."—(*Major Nolan.*)

THE CHANCELLOR OF THE EXCHEQUER said, everyone must acknowledge that it was only reasonable for hon. Gentlemen opposite to take any fair opportunity of discussing the principle of the grants to the Queen's Universities in Ireland; but he would venture to point out that the present occasion was scarcely the most convenient for raising the question. This was not the main Vote, for that would be proposed later on in the Session, but was merely a small Supplemental Vote to make up for some slight expenses incurred during the year, and to reimburse money already spent.

MR. MELDON said, some of his hon. Friends were prepared to remain all night, if necessary, to oppose this Vote. It was unprecedented for the House to be in Committee of Supply from a quarter to 5 till nearly 2 o'clock in the morning; and he thought Progress should be reported. The Irish Members were determined that not a single penny of public money should be granted for the maintenance of the Queen's Colleges and University—founded, as they were, upon a system of education abhorrent to the vast majority of the Irish people—without the most strenuous resistance on their part. The Government must look this fact in the face. He wished to express his opinions on this subject; but the hour was so late, that it was utterly futile for him to attempt to do so. He moved to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."——(*Mr. Meldon.*)

MR. J. LOWTHER said, the opportunity which the hon. and learned Member asked for would come when the regular Estimates for the year were brought up for discussion. The Vote which they were now asked to reject was for the payment of gentlemen who had done their work in the belief that they would be paid. The hon. and gallant Gentleman (Major Nolan) could scarcely wish the Committee to reject that item.

MR. SULLIVAN hoped that the Motion to report Progress would not be pressed, because that would make it seem as though his Friends wished to waste time, which was by no means their object. But the Government must be made aware that a change of resolution on this subject had taken place in Ireland, and that as the Representatives of the feeling, he and his Friends were determined that while they had a vote to give, or a voice to raise, this system should be opposed.

MR. O'DONNELL thought there were very strong objections, as a general rule, to Motions for reporting Progress; but in this matter there was more involved than the mere question of the comparative freshness or fatigue of hon. Members. The English people were perfectly ignorant on the whole question of Irish education, and at that hour the organs of public opinion were not likely to take much notice of a protracted technical discussion. The Chief Secretary had spoken of the smallness of the Vote, and had said these gentlemen had done their work. But this question of the appointment of Examiners required to be discussed very fully and thoroughly. The Queen's Universities, not merely in the point of view of religion, but of Liberalism, and of free development, was based on the most vicious principles, and was a State University in the worst and narrowest meaning of the word. Everything about it came from the State, and it had no autonomy or self-government. Even one of its Professors at a meeting totally unconnected with the University, could not speak on the Land Question in Ireland without being threatened with a loss of his Professorial position. He really thought the discussion might be adjourned till the next day. ["Divide!"] Those cries showed that the House was in no humour for a careful and technical examination of the merits of the question, the public Press was gone, their constituents would have no opportunity of deciding the merits of the case, and therefore he hoped the Motion would be persisted in.

MR. MELDON said, the most emphatic protest against the course the Government had taken was contained in the fact that at half-past 2 an adjournment was refused. He would not be a party to renewed Motions for reporting Progress, nor would he lend his sanction to any policy of obstruction; but he must refuse to withdraw that which he had made.

Question put.

The Committee *divided:*—Ayes 17; Noes 113: Majority 96.—(Div. List, No. 52.)

Question put,

"That a Supplementary sum, not exceeding £296, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Queen's University in Ireland."

The Committee *divided:*—Ayes 16; Noes 113: Majority 97.—(Div. List, No. 53.)

Original Question again proposed.

MR. P. MARTIN moved the reduction of the Vote by £36. At that hour of the morning it was not necessary to give any reasons for his Motion. He would say, however, that the views of the Catholics on this question were also shared by the Irish Protestants. He believed in a very short time a very strong public opinion would be manifested on this matter in Ireland.

Motion made, and Question put,

"That a Supplementary sum, not exceeding £316, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Queen's University in Ireland."—(*Mr. Patrick Martin.*)

The Committee *divided:*—Ayes 16; Noes 113: Majority 97.—(Div. List, No. 54.)

Original Question again proposed.

MR. O'CLERY moved that the Vote be reduced by the sum of £17. He understood that the October Examinations were a greater sham even than those in June, and that the prizes were given away with even less discrimination than usual.

Motion made, and Question put,

"That a Supplementary sum, not exceeding £335, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Queen's University in Ireland."—(*Mr. O'Clery.*)

The Committee *divided:*—Ayes 16; Noes 114: Majority 98.—(Div. List, No 55.)

Original Question again proposed.

LORD FRANCIS CONYNGHAM moved that that the Vote be reduced by £12.

Motion made, and Question put,

"That a Supplementary sum, not exceeding £340, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Queen's University in Ireland."—(*Lord Francis Conyngham.*)

The Committee *divided:*—Ayes 16; Noes 114: Majority 98.—(Div. List, No. 56.)

MR. SULLIVAN said, his Friends, having divided on each of the items, would not use further the Forms of the House, and would simply protest against the Vote, without pressing the question to a division.

Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow,* at Two of the clock;

Committee to sit again *To-morrow,* at Two of the clock.

BLIND AND DEAF-MUTE CHILDREN (EDUCATION) (*re-committed*) BILL.

(*Mr. Wheelhouse, Sir Andrew Lusk, Mr. Isaac.*)

[BILL 72.] COMMITTEE.

Moved, "That the House go into Committee on this Bill."—(*Mr. Wheelhouse.*)

MR. PELL said, the Bill was not yet in the hands of Members, and therefore he must oppose the Motion.

MR. WHEELHOUSE said, he had seen the revise of this Bill, and every Member knew what the changes were that were to be made. There could be no sufficient reason for opposing the Committee.

MR. SPEAKER: I must point out to the hon. and learned Member that the Bill is not yet before the House; and therefore it is quite impossible for the Committee to consider it.

Committee *deferred* till *To-morrow.*

SITTINGS OF THE HOUSE.

Resolved, That the sitting of this House at Two of the clock To-morrow be held subject to the Resolution of the House of the 30th day of April, 1869.

MARINE MUTINY BILL.

On Motion of Mr. WILLIAM HENRY SMITH, Bill for the Regulation of Her Majesty's Royal Marine Forces while on shore, *ordered* to be brought in by Mr. WILLIAM HENRY SMITH, Mr. ALGERNON EGERTON, and Sir MASSEY LOPES.

Bill *presented*, and read the first time.

House adjourned at a quarter after Three o'clock.

HOUSE OF LORDS,

Tuesday, 19th March, 1878.

MINUTES.]—PUBLIC BILL—*First Reading*—Medical Act, 1858, Amendment (44).

THE PATENT LAWS—LEGISLATION. QUESTION. OBSERVATIONS.

EARL GRANVILLE said, he wished to ask a Question of the noble and learned Lord on the Woolsack, of which he had given him private Notice. Three years ago, in a remarkable speech, the noble and learned Lord introduced a Bill upon which he had evidently bestowed much pains to consolidate and amend the Laws on Patents — a Bill which passed their Lordships' House, but which was not so fortunate then, or in the two next Sessions, in "another place." The noble and learned Lord justified the measure by the desire expressed by those who were in favour of patents, as well as by those who were against them, that the law should be altered; and he stated his conviction that if these laws were not amended, and if the objections urged against them were not remedied, the days of patents were numbered and an end must come to them altogether. With the heretical opinions he (Earl Granville) held on the subject, he should hear of this catastrophe with equanimity, and he was not so sure of the orthodoxy of the noble and learned Lord on this matter to be sure that his peace of mind would be much disturbed. Be that as it might, it would be satisfactory to the public to know whether Her Majesty's Government intend to deal, or not to deal, with this question during the present year?

THE LORD CHANCELLOR: My Lords, it is not the intention of Her Majesty's Government to introduce again the Bill which was before Parliament last year, for the consolidation and amendment of the Patent Law. If Her Majesty's Government thought that the Bill would be generally acceptable to those who were interested in the subject, they would have been prepared to introduce it again; but it was not clear to them that the Bill would meet with such a reception out-of-doors as would secure for it precedence over other measures, also of very great importance, which would occupy the attention of Parliament during the present Session.

THE EASTERN QUESTION—RUSSIA AND TURKEY—THE TREATY OF PEACE.—QUESTION.

EARL GRANVILLE: My Lords, I beg to repeat a Question which I put to the noble Earl the Secretary of State for Foreign Affairs last evening—namely, Whether he can inform the House of the time at which Her Majesty's Government expect to receive the terms of the preliminary Treaty of Peace between Russia and Turkey?

THE EARL OF DERBY: My Lords, I am not yet in a position to speak positively on the subject, but I think we shall have those terms in our hands by Saturday next.

MEDICAL ACT, 1858, AMENDMENT BILL.

(*The Lord President.*)

BILL PRESENTED. FIRST READING.

The DUKE OF RICHMOND AND GORDON: My Lords, I rise to call your Lordships' attention to the subject of the Medical Acts now in force, and to point out to your Lordships the way in which they require amendment; and I shall conclude by presenting a Bill which I hope will have the effect of remedying some defects, and of improving the law on the subject. I believe I am right in stating that at common law in England every person is entitled to practise medicine in this country if he is competent to do so; but during the last 300 years many Acts have been passed to regulate the competency of persons so practising and to provide for the mode in which that competency should be ascertained. As far back as the reign of Henry VIII. an Act was passed which provided that no person within the City of London or seven miles thereof should take upon himself to practise as a surgeon without having first been examined by the Bishop of London, the Dean of St. Paul's, and four professional men; and by the same Act no person was allowed to practise the art in the Provinces unless he had been examined by the Bishop and the Vicar-General. Both those clauses were still on the Statute Book; but, unless I find some opposition on the part of the right rev. Bench, who originally enjoyed the privilege—which I hope for the sake of mankind they no longer exercise—I propose by this Bill to ask Parliament to abolish those enactments. At the time to which I have been referring, it appears to have been assumed that every medical practitioner possessed a double qualification—one in medicine and one in surgery; because I find that section 3 of c. 40 of 32 *Henry* VIII. runs thus—

> "That, forasmuch as the science of physic doth comprehend, include, and contain the knowledge of surgery as a special member and part of the same, therefore be it enacted that any of the said Company or Fellowship of Physicians, being able, chosen, and admitted by the said President and Fellowship of Physicians, may from time to time, as well within the city of London as elsewhere within this realm, practise and exercise the said science of physic in all and every his members and parts, any Act, statute, or provision to the contrary notwithstanding."

Previously to the passing of the Medical Act of 1858 medical legislation was in a most unsatisfactory condition. There were various bodies in the three Kingdoms all entitled to confer medical or surgical diplomas, and all competing with each other—not always, I am sorry to say, with the view of raising, but, in some cases, with that of lowering, the standard of examination. Some of those bodies could grant diplomas which were good over the whole Kingdom, while the diplomas of others were good only in the particular parts of the Kingdom in which they were issued. While this was the case, the result was that some of the most competent of the Profession in England would have been precluded from practising in Scotland and Ireland; and, *vice versâ*, an equally competent Scotch surgeon might have been precluded from practising in this country. It was not very surprising, therefore, that before 1858 various attempts should have been made to remedy that state of things; but owing to the various persons affected, and, on the part of bodies, owing to the fear of resigning privileges then possessed, no Bill was passed at all. But in 1858 Mr. Cowper introduced in the other House of Parliament a Bill which was approved and adopted by the Government of the late Lord Derby. That Bill had for its main object to raise the standard of qualification in all persons entering the Profession by creating a uniform and sufficient examination; it further provided an authoritative registry on which the names of all qualified persons should be inscribed and their qualifications defined; and it also removed the legal restriction to which I have just referred, as applying to persons who had received their diplomas from bodies whose licensing powers were confined to particular parts of the Kingdom. The Preamble of Mr. Cowper's Bill states it to be desirable that we should be able to distinguish between competent and incompetent practitioners. I think your Lordships will all agree in that. Well, Mr. Cowper's Bill was approved and taken up by the Government and passed, and I am bound to say that I think it has been to a great extent successful. But since the time at which it became law various things have occurred to show that it is desirable to amend it. That Act provides a Medical Council, and it provides that a single qualification from any of the licensing bodies shall be sufficient to entitle the person who holds it to be placed on the register, which is compiled under the authority of the Medical Council. The 19th clause of the Act suggests a mode in which uniformity of qualification for the Medical Profession might be obtained, and, acting on that suggestion, the English Medical Bodies have for a considerable time been engaged in drawing up a scheme which is well known as the "conjoint scheme," and which has for its object that all bodies licensing in medicine and surgery should, for purposes of examination, be represented by one associated body. Though up to this time difficulties to the establishment of that scheme have constantly presented themselves, those difficulties have not been regarded as insurmountable, and I believe and hope that the English Bodies have been successfully endeavouring to perfect a conjoint scheme, and that before this Bill becomes law—as I hope it may—those Bodies will have come to such arrangements as will enable them to establish a conjoint Board, leaving the Medical Bodies of Scotland and Ireland to come into the scheme after them should they so think fit. There is a difficulty in Scotland arising from the number of Universities and Medical Corporations there, which are somewhat different from Universities and Medical Corporations here. The consequence is that, up to the present time, it has not been found feasible to include Scotland in the conjoint scheme. I trust, however, that this difficulty is not insurmountable; and there are provisions in the Bill which I am now introducing under which the Scotch Medical Bodies can come in and form part of the conjoint Board after the passing of this measure. The Act at present in force does not provide for the registration of persons who have qualified in the Colonies or abroad. This Bill does so. The provisions in the existing Act referring to unregistered persons require amendment. Then there is an Act known as Mr. Russell Gurney's Act, which in one respect requires amendment, and that amendment is made by this Bill. That Act was one for enabling women to be examined; but it is so drawn as, by its wording, to enable women to be members of the Corporation and Senate, which was never intended. My Lords, I shall now go through the leading provisions of the Bill. Its principal objects are—first, to require a person registered in the Medical Register to have both a medical and a surgical qualification; second, to allow the registration of foreign and Colonial practitioners; third, to further restrict the assumption by unqualified persons of designations implying qualification; fourth, to make further provision for the uniformity of the standard in the grant qualification in the United Kingdom; fifth, to make provision for women similar to that intended to be made by 39 & 40 *Vict.* c. 41, commonly called Mr. Russell Gurney's Act; sixth, to make provision for the examination and registration of dentists; seven, to make provision for the examination and registration of midwives; eight, to make amendments in the Medical Act of 1858 as regards the registers, erasure from the register, the certificates of medical practitioners under the Lunacy Acts, the qualification of medical officers in Colonial ships, and other minor matters. Clause 3 will prevent a person being registered in future unless either he has obtained two of these diplomas—one for medicine and one for surgery—or has obtained a certificate of his proficiency, both in medicine and surgery, from a Medical Board established under the Act and representing two or more of the Medical Authorities of the United Kingdom. A saving is made in favour of persons entitled to be registered before the passing of the Bill. Clauses 5 to 7 enable a person who has obtained a medical diploma entitling him to practise in a Colony or in a foreign country to be registered on proof of good character if the diploma is one recognized by the General Medical Council as representing a degree of knowledge, tested by examination, equal to that which is required for obtaining in the United Kingdom a qualification for registration. If the General Medical Council refuses to recognize a diploma, an appeal is allowed to the Privy Council. Clause 9 requires Colonial and foreign practitioners to be entered in separate lists distinct from those who obtain their qualifications in the United Kingdom. Clause 13 requires the General Medical Council to exercise the powers of erasing from and of restoring to the medical register the name of a person or an entry by a Committee of their own body, not exceeding five in number, of whom the quorum shall be not less than three —a large body such as the General Medical Council is unsuited for exercising such a power, which is *quasi*-judicial in its character. The object of Clause 14 is to extend the power which the General Medical Council possess at present of superintending the examinations for medical diplomas conducted by the different authorities. It does so by allowing them to make, with the approval of the Privy Council and subject to appeal by authorities and persons interested to the Privy Council, rules for regulating the examinations, the conditions of admission, and the standard to be obtained for passing them. The rules are required to provide for the admission of women to the examination, subject to two provisos—1, That a Medical Authority which now is not bound to and does not examine women shall not be obliged to do so; 2, that women shall not be compelled, if they object, to pass the same examination as men. As these examinations are the only means of entering the Profession, and the Bill makes the law against unregistered practitioners more strict, it seems just that the conditions of admission to the examinations should be subject to some general control, such as that of the Privy Council, given by the Bill, and not merely to the control of the Profession itself. The object of clauses from 15 to 18 is to extend the power given by Section 19 of the Medical Act, 1858, to two or more of the Medical Authorities to combine for the purpose of conducting joint examinations. A scheme made for the purpose before the passing of the Act, with the approval of the General Medical Council and of the Privy Council, is confirmed by the Bill. Subsequent schemes will require the confirmation of the Privy Council. The Board established by the scheme for conducting the examinations is to certify the names of the persons who pass both in medicine and in surgery, and those persons will be entitled to certain diplomas from one of the Medical Corporations. As it will be possible for women to pass those examinations, it is provided that the obtaining a diploma under this provision is not to entitle a person to any right in connection with the Corporation; and it was provided that if women objected to pass the same examination as that provided for men, they were at liberty to be registered after passing a more suitable examination. The first part of Clause 20 allows a Medical Authority, with the approval of the Privy Council, to make a new medical diploma for the purpose of being granted to those who had obtained qualifying certificates from a Medical Board established under this Bill. By this means a Medical Authority will be able to grant a diploma entitling a person to be registered without granting to such person any rights in connection with that Authority. The second paragraph of this clause is to effect the intention of 39 & 40 *Vict.* c. 41—commonly known as Russell Gurney's Act—which has failed in effect from a technical mistake. Clause 21 is to effect what has been effected in the case of the University of London and the College of Surgeons and the Society of Apothecaries by special Acts—namely, to enable them to remove any obstacles to their combining in the joint scheme for the Medical Board which arise from any of their acts or charters. Clause 22 extends very largely the provision against the assumption by unregistered persons of designations which imply that they are duly qualified practitioners in medicine or surgery. It does not prohibit any unregistered person from practising—that is impossible—but it prohibits a person who practises for gain from assuming certain designations. It further prohibits persons who practise for gain from assuming any of the medical or surgical designations to which they are not entitled. The clause also imposes a penalty upon a person who gives any certificate which is invalid when signed by an unregistered person. It also restricts the right of prosecution by private persons without the consent of the General or a branch Medical Council. The clause is justified on the ground that in the Bill every person who really possesses proper qualifications, whether obtained in the United Kingdom, or in a foreign country, or in a Colony, will be free to be registered without any restrictions or condition based on grounds other than that of ignorance or of improper conduct. Clause 23 enables the Medical Council, with the consent of the Privy Council, to, in effect, legislate by means of a scheme for the examination, licensing, and registration of dentists. The clause requires them to enter in, any register which is made, the existing practitioners, and also foreign and Colonial dentists. The clause provides that if a scheme is made a person not registered either in the "Medical Register," or in the "Dentist's Register" shall not be entitled to recover his fees, and shall not be allowed to assume the designation of dentist or any designation implying that he is duly qualified to practise dentistry. This provision will avoid the objection raised to the Dental Practitioners' Bill of Sir John Lubbock, which has been introduced in the other House, and has excited considerable opposition from the Medical Profession, in that it prohibits surgeons from practising dentistry or calling themselves dental surgeons. Clause 24 allows the Medical Council, with the consent of the Privy Council, to, in effect, legislate by means of a scheme for the examination, licensing, and registration of midwives. The clause requires the register to include existing practitioners, but makes no provision for foreigners or Colonists. The clause enables local authorities to undertake at their own expense any duties of examination or registration which the scheme throws upon them, but does not compel them to do so. If the scheme takes effect, a person not registered in the "Medical Register," or in the "Midwives' Register," will not be able to use any designation implying due qualification to practise midwifery. It also allows them to attach conditions to their Orders. The object of Clause 29 is to remove a difficulty which has arisen under the Lunacy Acts. There are separate sets of Lunacy Acts for England, Scotland, and Ireland. Under each set a certificate from a medical practitioner is required in certain cases—for example, for removing a lunatic to an asylum; and penalties are imposed for giving a certificate improperly. I thought it right, as your Lordships may imagine, to send this clause to the Lunacy Commissioners. They have informed me that they were not altogether satisfied with it; but, as they forwarded no proposed amendment, I thought it better to leave the clause as it is. When, however, we receive the suggestions of the Commissioners, any Amendments they may propose will receive our best consideration. The Law Officers advised that as the penalty in each case is made recoverable only in that part of the United Kingdom for which the Act was passed, the certificate must be given by a medical practitioner resident in that part; because if a medical practitioner in Scotland gave a certificate for the removal of a lunatic to an asylum in England, he would not be punishable if he gave a false or improper certificate. This had led to some inconvenience and to a conflict between the Scotch and English Authorities. The clause provides that the certificate may be given by a medical practitioner residing in any part of the United Kingdom, and that he shall be punishable for any false or improper certificate. Clause 30 will remedy an injustice as pointed out by the Board of Trade. It is caused by Section 36 of 21 & 22 *Vict.* c. 90, preventing a person not registered under the Act from holding an appointment in any vessel, even though the vessel may be the vessel of a Colony, and the person may be a registered medical practitioner in that Colony. The provision of the Bill allowing a Colonial practitioner to be registered in England will not quite meet the case, inasmuch as it would be hard to require every surgeon on a Colonial ship to be registered in this country; and, secondly, he might be unable to obtain registration because he had not practised for more than 10 years out of the United Kingdom, and might technically be domiciled in the United Kingdom. Those, my Lords, are the principal provisions of a measure dealing with a subject of great importance, but one of great complexity; and which, when legislation is proposed in respect of it, requires great consideration in numerous details. The subject is one for which there should be no hasty legislation; and I should hope that by the time the Bill comes on for a second reading, we shall have the benefit of being in possession of the views of all persons in the country who may be interested in its details and who are competent to give advice on the matter. I hope I need not add that we shall be most ready to give an attentive consideration to all suggestions which may be offered with the object of securing a good and useful measure, and one which will be satisfactory both to the Medical Profession and the public at large.

Bill to amend the Medical Act, 1858—*Presented* (The LORD PRESIDENT.)

THE MARQUESS OF RIPON said, he did not rise to offer any criticism upon the measure, for he quite agreed that it was unadvisable to do so before they had examined the measure itself. He knew very well from his own experience in connection with the Bill which was brought forward by him in 1870, and which failed to pass the House of Commons, partly owing to want of time, and partly from the opposition of certain medical reformers, that this was a very difficult subject to deal with. He was very glad to hear that it was proposed to do away with registration on a half-qualification, and to make a certificate both in medicine and surgery necessary; and also to permit the registration of duly qualified foreign and Colonial medical men. But if he rightly understood the scope of the Bill in relation to a conjoint scheme, he must express his regret at its permissive character. He did not gather that there was any power in the Bill for insisting upon a joint Board, and he could not help thinking that nothing was of greater importance to the Medical Profession than to provide that in the future there should be but one portal for admission to the "Medical Register."

Bill read 1ª; to be *printed;* and to be read 2ª on *Monday* the 15*th of April* next. (No. 44.)

House adjourned at a quarter before
Six o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 19*th March*, 1878.

MINUTES.]—SUPPLY—*considered in Committee*—CIVIL SERVICES, SUPPLEMENTARY ESTIMATES, Classes V., VI., VII.—REVENUE DEPARTMENTS—ARMY AND NAVY SUPPLEMENTARY—EXCESSES, 1876-7.

Resolutions [March 18] *reported.*

WAYS AND MEANS—*considered in Committee*—(£1,537,047 6*s*. 5*d*.) Consolidated Fund, 1877-8; (£12,000,000) Consolidated Fund, 1879.

PUBLIC BILLS — *Ordered* — *First Reading* — Freshwater Fish Protection * [131].

Select Committee—Report—Local Government Provisional Orders (Bristol, &c.) * [112].

The House met at Two of the clock.

QUESTIONS.

BLAKE v. THE ALBION LIFE ASSURANCE SOCIETY.—QUESTION.

MR. PEASE, in the absence of the President of the Board of Trade, asked the Secretary to the Department, Whether his attention has been called to a letter in the "Daily News" of March 13th, signed by one of the special jury in the late trial of "Blake *v.* The Albion Life Assurance Society;" and whether he proposes, in the interest of the vast body of insurers in this country, to give directions for a more careful supervision of the accounts of Insurance Companies, rendered in pursuance of the Act of 1870, than appears to have hitherto been the case, as shown by the extraordinary facts elicited in the course of the above-mentioned trial?

MR. E. STANHOPE: Sir, on behalf of the Department, my attention has been called to the matter in question. The accounts and statements of Assurance Companies rendered in pursuance of the Act of 1870 are deposited at the Board of Trade, and copies of them are deposited by the Board of Trade with the Registrar of Joint-Stock Companies, where they can be inspected by the public. The accounts and abstracts so deposited are laid annually before Parliament. The supervision, which rests with the Board of Trade, does not extend beyond seeing (1) that the accounts and statements required by the Act are furnished in the form prescribed by the Act; (2) that the questions put in the Schedules to the Act are categorically and completely answered; (3) that the answers given do not conflict with one another or with the statements in the accounts; and (4) that, *primâ facie,* no serious items of liability are omitted. The Board of Trade are in no way responsible for the accuracy of the answers given, or the statements made by the Companies. In 1873, however—that is, shortly after the duty of receiving the accounts of Assurance Companies was imposed upon them by Parliament—the Board of Trade, finding that some of these accounts disclosed a very unsatisfactory state of matters, took the opinion of the Law Officers of the Crown as to whether it was within their powers, under the Life Assurance Companies Act, to require a Company to amend its accounts, so that at least a minimum provision should be made for future management expenses before determining what the surplus of the Life Fund was. This is, of course, a vital point in ascertaining the position of a Life Assurance Company. The Law Officers advised the Board of Trade that they had no such power, and it is a curious circumstance that the specimen instance on which the case was submitted to the Law Officers was that of the Albion Assurance Company. Notwithstanding the limited powers of the Board of Trade, it has been their practice, in cases of manifestly insufficient reserve, to bring this specially to the notice of the Directors, so that in the event of any question arising at a future time, they cannot urge that they signed the accounts in ignorance. In the case of the Albion Company, a correspondence of this sort which took place with the Board of Trade in 1873—the year of their previous valuation—led to the withdrawal of a bonus which had been decided upon. In certain cases where, in the opinion of the Board of Trade, the accounts of an Assurance Company are not such as are required by the Act of 1870, they deposit the accounts under the Act of 1872, which empowers them to lay before Parliament statements purporting to be in pursuance of the Life Assurance Act of 1870. When they think that such a case ought to be brought before Parliament and the public, they annex to the accounts the correspondence which has passed between them and the Company, and publish the two together in the annual Blue Book. This course they adopt under the advice of the Law Officers of the Crown, who were of opinion that the Board of Trade could not state their reasons more fairly than by setting out the correspondence, and they had determined to adopt this course with the accounts of the Albion Assurance Company before the action of "Blake *v.* The Albion Company" was tried.

INDIA—THE PRESS LAWS.—QUESTION.

Mr. SULLIVAN asked the Under-Secretory of State for India, If the new Law regulating the liberty of the Press in India is correctly described in the London newspapers of the 15th inst.; and, whether he will lay a copy of that proposal upon the Table of the House?

Lord GEORGE HAMILTON, in reply, said, that the telegram from India correctly described the measures taken by the Indian Government. They had not yet received a copy of the Act at the India Office, but as soon as it was received it would be laid on the Table, together with the discussion which had arisen in the Council of the Governor General of India on the subject.

MINES REGULATION ACT—THE BLANTYRE EXPLOSION.—QUESTION.

Mr. MACDONALD asked the Secretary of State for the Home Department, If he will lay upon the Table the Report that Mr. Inspector Moore sent to the Lord Advocate respecting the explosion which took place in the Blantyre No. 2 Pit on the 20th of August, 1877?

Mr. ASSHETON CROSS: Sir, there will be no objection to the production of the Report, if the hon. Member will move for it.

MERCANTILE AMENDMENT ACT, 1856—BILLS OF EXCHANGE.—QUESTION.

Mr. STANTON asked Mr. Attorney General, Whether his attention has been called to a recent decision of a County Court Judge in Northumberland, and since confirmed by Mr. Justice Denman in Her Majesty's Court of Common Pleas, to the effect that a bill of exchange upon which the acceptor has simply written his name is not legally accepted; and, whether, such having been held to be the law, he will take steps to remedy a state of things that must cause serious inconvenience to the large trading interests of this Country, being so entirely at variance with the established practice in dealing with such bills of exchange?

THE ATTORNEY GENERAL: Sir, my attention has quite recently been called to the Judgment in the Court of Appeal from Inferior Courts confirming the decision of the Judge of the County Court of Northumberland, referred to in the Question of the hon. Member. In 1856 the Mercantile Amendment Act was passed to assimilate in some particulars the laws of England and Ireland to the laws of Scotland, and by Section 6 of that Statute it is provided—

> "That no acceptee of a Bill, inland or foreign, made after December 31, 1856, shall charge any person, unless in writing on the bill, and signed by the acceptor or some person duly authorized by him."

As by the Statute in question it was clearly intended to introduce the Scotch law into this country and Ireland, I must be permitted to make some inquiries as to what is the law of Scotland and the practice pursued in that country with regard to the mode of accepting bills before I can decide whether any and, if any, what measures shall be adopted.

THE EASTERN QUESTION—THE CONGRESS.—QUESTION.

SIR ROBERT PEEL asked the Under Secretary of State for Foreign Affairs, Whether he can state to the House, for the information of the Country, when the proposed Congress at Berlin is likely to assemble; whether he can state, following the precedents given by Ministers in this House (as, for instance, prior to the Conference at Geneva and to the Congress at Paris), who are to be the Plenipotentiaries representing the Powers of Europe taking part in that Congress; and, whether the news circulating from Berlin is correct, that, of the Powers to be represented at the Congress, Austria, France, Germany, Russia, and Turkey are to be represented as First Plenipotentiaries by their Minister for Foreign Affairs; and, if this be so, to explain why the Foreign Office has chosen the English Envoy to the French Republic to represent Great Britain?

MR. BOURKE: In reply to the first part of the Question of my right hon. Friend the Member for Tamworth, I have to state and to remind the House that my right hon. Friend the Chancellor of the Exchequer a few days ago stated the conditions on which Her Majesty's Government were prepared to enter a Conference or Congress. Well, if an agreement is arrived at with respect to these conditions, the Conference will probably meet about the end of the month. With respect to the next part of the Question of my right hon. Friend, I have to state that the Powers, with the exception of England, will be represented by their respective Chancellors or Ministers for Foreign Affairs. [SIR ROBERT PEEL: And Ministers for Foreign Affairs.] The right hon. Baronet will recollect that Prince Bismarck is Chancellor, and not Minister for Foreign Affairs, and I believe that is the title also of Count Andrassy. Her Majesty's Government have made an exception for this country as regards themselves, and they have done this for the reasons stated the other day in "another place"—that is, because our system of administration is wholly different from that of Continental States. A Minister of Foreign Affairs in this country, I need not remind the right hon. Baronet, is a Member of a Cabinet collectively responsible to Parliament for all the affairs of the Government, and cannot act on his sole authority; and if he enters a Congress of that kind, and leaves his Colleagues to settle what his instructions are to be from time to time, he abdicates his functions as Minister for Foreign Affairs, and becomes a mere agent to carry out the instructions of the Cabinet, instead of remaining at home and being a Member of the Cabinet which has to decide what should be done, and with which he should be jointly responsible. Her Majesty's Government, therefore, adhere to the announcement made in the other House of Parliament by the Secretary of State for Foreign Affairs.

THE TURKISH LOAN OF 1855.

QUESTION.

MR. DODSON asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government have, under the guarantees authorized by the Act 18 and 19 Vic. c. 99, been obliged to provide the half-year's interest recently due on the Turkish Loan of 1855, and specially charged upon the Egyptian Tribute, or any part thereof; and, whether he will lay upon the Table of the House an Account showing the amount, if any, so provided, and any Correspondence with the French, Turkish, or Egyptian Governments upon the subject?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the Turkish Government—the Porte—did not provide the dividend on the Turkish Guaranteed Loan which fell due in February, and Her Majesty's Government, as an act of courtesy to the Porte, requested the Bank of England, in the first instance, to advance the amount temporarily, in order to give an opportunity for the Turkish Government to fulfil its obligations. After a reasonable time had elapsed, and the money had not been provided, it was found necessary to exercise the powers given to the Government by the Act of 1855, and to issue the amount of the interest and the commission, together with the interest and the commission on the sum advanced by the Bank, out of the Consolidated Fund. The amount so issued was £77,448. We have communicated with the French Government on the subject, and, no doubt, shall receive shortly a communication from them as to the course that is to be pursued. I may add that a portion of the charge of the Guaranteed Loan should have been defrayed out of the Egyptian Tribute, which the Khedive is bound, under the firman of the Porte, to remit direct to the Bank of England; but up to yesterday, no remittance had been received from His Highness, though, in answer to the remonstrance of Her Majesty's Government, it has been announced that a small payment on account of the tribute due to Turkey would be forwarded at once. This is the state of affairs, and as soon as the Correspondence is in a proper state, it shall be laid before Parliament. Her Majesty's Government have communicated the facts as they occurred to the French Government, and they are about to reclaim from that Government a moiety of the sum which they have issued from the Consolidated Fund, in accordance with the declaration exchanged between the two Governments in 1855.

THE EASTERN QUESTION—RUSSIA—THE TERMS OF PEACE.—QUESTION.

MR. J. GOLDSMID: I beg to ask Mr. Chancellor of the Exchequer, Whether the Government has received from either of the contracting Powers, Turkey or Russia, the Terms of Peace; and, if so, whether he can communicate them to the House?

THE CHANCELLOR OF THE EXCHEQUER: No, Sir, they have not yet been received.

INDIAN TAXATION PETITION.

MOTION FOR PRINTING.

MR. FAWCETT presented a Petition, signed by 8,200 inhabitants of Bombay, both Europeans and Natives, against the proposed new taxes in India. He was informed by one who was well competent to judge that there was not a single mercantile firm in Bombay a representative of which had not signed the Petition. The petitioners objected in the strongest possible way to any increase of the salt duty upon people who had only recently recovered from a severe famine. The proposal of a licence tax from which all professional and official parties should be exempted also met with their strongest opposition. Considering the importance of the Petition, he should move that it be printed.

MR. SPEAKER pointed out that, in the ordinary course, the Petition would go before the Committee on Public Petitions, and if they considered it of sufficient importance, they would recommend that it be printed. If the Committee did not take that course, it would be competent for the hon. Member to move that it be printed.

MR. FAWCETT said, that after the explanation of the right hon. Gentleman, he would defer his Motion till he saw what action the Committee would take.

MOTIONS.

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SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE INDIAN PRESS LAW.

RESOLUTION.

MR. O'DONNELL, in rising to call attention to the establishment of a censorship of the Press in Bengal and Bombay, and to move—

> "That legislation for our Indian fellow-subjects subversive of fundamental principles of the British Constitution should be adopted without this House being previously consulted upon the urgent necessity of such a course,"

said, he was prepared by official speeches and semi-official leaders in the patronized Press for some measure from the Indian Government dealing with the subject; but he was not prepared for a measure of such arbitrary authority as that which had just been adopted by the Indian Government. It was a measure which it was quite evident was intended to open a vast field for the purpose of the total suppression, or the official editing, of all the newspapers of Bengal and Bombay, printed and published in any Native language—a measure which was not justified and not required. Provision was even made for the punishment of what fell short of sedition or libel—a most infamous proposal. He had heard of punishment for the commission of an offence; but punishment for its non-commission was left to the inventive genius of the Calcutta Government, fertile in despotic expedients. The Indian newspapers published in English, which were to be exempt from the operation of the law, were quite as outspoken as those newspapers which were published in the Native languages. In support of that view, he would refer to a passage taken from *The Indian Representative*, which said that Sinbad with the living incubus upon his shoulders was emblematic of India dragging itself along oppressed with the weight of the foreign Government it supported. He contended that legislation of such an exaggerated character would be useless to put a stop to even incendiary appeals against Her Majesty's Administration in India. It was confessed on all hands that the individual circulation of the Native Indian newspapers was small; but under measures of an oppressive character, they would be much more extensively read. Nothing could be easier than for the prohibited newspapers to follow the example of the *Lanterne*, which was freely circulated in France despite the precautions of the Government censors; and if circulated in that way, the influence of the able and fearless, though discontented, writers, would be greater than at present. By merely crossing the border into one of the numerous Indian States that were mixed up with our Dominions in India, the publisher of the journal prohibited by the British Government could quietly print his offensive journal, and by a thousand willing hands that journal could be disseminated in the very heart of the district in which this absurd and Draconian measure was instituted for the purpose of expelling him and his influence. In the worst governed portions of Europe at any time during this century there was nothing to rival this engine which had been set up in India for the suppression of freedom of opinion. Indeed, nothing like it had ever been proposed. It was unfortunate, when they were endeavouring to set their house in order in the face of Europe, so as to come forward in defence of right, and justice, and freedom, that that House should be led so far to forget its high mission as to overlook an act of tyranny which at one blow struck down the most valued privileges and rights of a population equal to that of Europe. It would open the door to a system of official terrorism over Natives, which was very undesirable, and lead to evasion, which would be more mischievous to the Government than the open sale of Native newspapers. He protested most warmly against the slur cast upon the Native languages and the embargo laid upon Native thought. Views about education in India differed very widely; but he thought it was sad to look forward to the time when 250,000,000 should have to learn to give up their Native education on behalf of a few thousand Englishmen who had come to dwell amongst them, and could only remain permanently by conciliating the goodwill of the Natives of India. Whatever might be the stringency of the strictures passed by the Native newspapers on the acts of the the Government and the Government officials, the strictures in the newspapers published in England were in no whit different from those published in the Native newspapers in India. It was admitted by the supporters of the Administration in India that the writers in the Indian newspapers disclaimed all intention of cutting off the connection between India and the Empire except as a last and extreme resource. There was not an assertion in the wildest of the Indian newspapers that could not be rivalled in the writings of both Whigs and Tories in their criticisms on the great Revolution of 1688. *The Pioneer* of Allahabad admitted they had never attacked the Government as a Government, they had only criticized particular measures of the Government; and that represented the truth of the case generally with regard to the Indian Press. That Press protested against the manner in which the Indian Government was conducted in Calcutta, in which taxation was managed, in which justice was administered, and against the tyranny of the magistrates, and demanded that the Indian people ought to participate in the work of governing India, and in doing so they were perfectly right. The sort of criticism published in the Indian papers was very much like that published in the English papers with respect to English administration. One of the Indian papers inquired why so much dissatisfaction prevailed?—and stated that the people were more happy under the Mahometan authorities than under their present rule—that injustice and oppression were more extensively practised now than at any former period—that the people were suffering under the most grinding and cruel oppression on the part of the police officials, who had given so much trouble that the Governor of Bengal had declared that the continuance of crime itself would be better than the continuance of the law under which such exaction and extortion took place. If complaints of this kind might be published in England, was it conceivable, was it permissible, that such a Draconian law should be established as that which was now applied to India? Even hon. Members of Parliament had in their places in that House denounced the salt tax, for instance, as being a cruel and grinding piece of oppression of the poorest classes of the Native community. These and such like comments had been made, and they had been published by English newspapers which circulated freely in India. Why should not Indians in India be permitted to use language such as any British subject could utter in England or Ireland with impunity, even if they did use the Native tongue? One of the Indian papers, which was severely denounced by the Calcutta Government, stated that one of the greatest sins of which it had been guilty was that it had complained of increasing maladministration in India in respect to taxation, justice, and police. It stated that the policy of the British Government was to destroy the national life and keep the people in subjection for ever. Now, was that true, or was it not true? Was it not a fair comment on the part of Indian politicians to say that the Indian Administration was hostile to national life in India? And he would ask what measures had recently been taken by the Government which were not of that character? He contended that, with regard to an overwhelming majority of the offences alleged against the Indian Press, they could be dealt with by the ordinary process of law, and that most of them were not offences at all. Except through a Native Press, we could learn nothing of what the Native populations of India thought of our government, and if we suppressed that Press, we must not be surprised one day to find that we had been slumbering on the edge of a pent up volcano. The hon. Gentleman concluded by moving his Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "legislation for our Indian fellow-subjects subversive of fundamental principles of the British Constitution should not be adopted without this House being previously consulted upon the urgent necessity of such a course,"—(*Mr. O'Donnell*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. GLADSTONE: Sir, I hope the hon. Member who has made this Motion (Mr. O'Donnell) will not suppose that I shall presume to pronounce an opinion upon the use which he has thought fit to make of his right as a Member of Parliament to introduce it to the notice of the House. No doubt he has done so under a very strong sense of the urgency of the case, and I do not at all make myself a judge of his conduct in that respect; but I must say, and that in the name of the urgency and importance and difficulty of the case, I am disposed to make an appeal to him and an appeal to others not to attempt to prosecute discussion upon it at the present time. It appears to me that the matter undoubtedly is one of extreme gravity. I have rarely read an announcement affecting the proceedings of any portion of the Government of this country with greater pain than that with which I have read the recent tidings from India respecting the Order concerning the Press of that country. And that pain will, I believe, be shared by the whole of the

Members of Her Majesty's Government, and those Members of the House who may have, or may have conceived they had, information sufficient to judge the whole case, and likewise to arrive at the conclusion that the Indian Government had acted wisely in the matter. For my own part, it appears to me that the objections which obviously apply to a measure such as that which has been adopted are so strong that I must, in common fairness and in common sense, presume that the Indian Government has seen reason of very great strength in order to induce it to resort to so extreme a proceeding. Therefore I am impressed, Sir, with the belief—and I cannot help thinking that the sentiment will generally pervade the House—that both prudence and fairness, and I would almost say decency, or, at any rate, Parliamentary propriety, require that we should wait to know what those reasons are before we proceed to discuss a matter of this kind. Taking it at its best, and supposing that the Indian Government are right, still the proceeding is one which must cause us the deepest pain. It must cause the deepest pain to all Members of this House, and particularly to those hon. Members who think with me, that the questions relating to the internal government of India, and the questions which concern the morality and justice with which we treat the people of India, are of far greater consequence, and will ultimately operate with far greater force in determining the relation between this country and India than those questions about her Frontiers and about foreign Powers on which a large number of the people of this country are so fond of dwelling. If we should arrive at the conclusion that the conduct of the Indian Government was wise—and I confess the reasons must be very strong indeed which will induce me to believe that the conduct of the Indian Government has been wise—the subject must still be a painful one, and one which should only be approached with full notice, and full time and materials for its consideration. If, on the other hand, we are to arrive at the conclusion that the measure had been unwise, do not let us suppose that our path becomes thereby a clear one, for one of the unfortunate incidents of distant government—one of the necessary and unfortunate incidents of distant government—is that it often happens, and has often happened in Indian matters, that even where we may think an error has been committed, any attempts to correct the error involve greater evils than even if the error were allowed to continue undisturbed. I can, as I have already said, pass no judgment on the course taken by the hon. Member, and I wish to be understood as most carefully reserving my own opinion upon every point of this case, except that I regard the matter as one of the extremest gravity; but we are not prepared for discussion at this moment. I make no doubt whatever that Her Majesty's Government will lose no time in placing us in possession of the fullest information with regard to it; and, in fact, informing us of everything they know upon a matter of the kind, as they will be anxious that we should share, as I think we are entitled to share, their responsibility in this matter. If that be so, I would represent to others, I would even entreat them—but possibly I am anticipating what will proceed from Her Majesty's Government, and if so, I do not think I am rendering any bad service to the public interest—but I would entreat them to wait the opportunity when we may be able to discuss the question with the information before us which the examination necessarily requires, especially as we cannot anticipate the reasons which may be given. We see in India that the proposition is one which has been carried through with great rapidity, as if it were a matter of extreme urgency, and that no doubt is a part of the *res gestæ* upon which we may have to pronounce judgment. It does not seem to me to bear on the question whether we ought to go forward with the discussion at this moment. The matter does not stand as I admit it might stand if this had been a mere project with respect to which a long interval would elapse before the authority of the Indian Government would be committed to it; but, as I understand the matter, the proceeding has been prompt, absolute, and final. If that be so, it is obvious the question of time is a question which does not press urgently upon us; and, even if it did, no urgency could be so great, in a matter of such delicacy, difficulty, and gravity as this as to call for discussion under the circumstances. I think there would be no evil so great in a matter of this gravity as our attempting to approach this discussion without the possession of those means which are absolutely necessary to form a judgment, in order to make that discussion satisfactory.

Lord GEORGE HAMILTON: Sir, I confess I have been a little surprised at the hon. Gentleman opposite (Mr. O'Donnell) bringing forward his Notice to-day, because very recently the hon. and learned Member for Louth (Mr. Sullivan), put a Question to me upon the same subject—namely, whether the somewhat meagre telegram in the morning papers on the 15th instant was a correct report concerning the Bill the Indian Government recently brought in; and he further asked if I would undertake to lay the Act upon the Table of the House as soon as we received it? In reply to that Question, I willingly undertook not only to lay the Act upon the Table of the House, but also the discussions which took place thereon in the Indian Council. In the absence of the text of the Act, and the other information, it is absolutely impossible to discuss properly or fully the Motion of the hon. Gentleman; and I hardly expected that, under the circumstances, he would have brought it forward.

Mr. O'DONNELL: I beg to make an explanation. I certainly did not ask such a Question.

Lord GEORGE HAMILTON: I said the hon. and learned Member for Louth asked the Question; and, of course, I thought the hon. Member for Dungarvan (Mr. O'Donnell) would have waited till we were in possession of these Papers. The India Office is not yet in full possession of the information. I can only concur fully in the reasons which have been so ably urged by the right hon. Gentleman the Member for Greenwich why this discussion should not proceed. I think it is only justice that we should postpone our judgment till the facts are fully known to us. A great deal has been said of the Act recently passed, and I think it desirable that the law on the subject as it at present stands on the Indian Code should be better known. It provides that any person who by words spoken, or intended to be read, or by signs, or by visible representation, or otherwise, excites, or attempts to excite, feelings of disaffection to the Government established by law in British India, shall be punishable with transportation for life, or for any term, to which a fine may be added, or with imprisonment for a term which may extend to three years, to which a fine may be added, or with a fine. This being the state of the law in India, it is only fair to the Indian Government to say that they are entitled to apply this stringent law to the editors of papers whose writings bring them within this class of offenders; and the Indian Government may, in the legislation which they have recently passed, have been anxious to mitigate the severity of the present law, and, by mitigating it, render it more suitable to be applied in putting down, with only such severity as may be necessary, seditious libels on the Administration and the Empire. It is only right that I should make this statement, because at present there seems to be an impression abroad that there is no provision, excepting the new Act, under which the editors of papers publishing seditious libels can be punished. I hope, after what has passed, the House will not proceed with the discussion.

Sir GEORGE CAMPBELL said, he would not continue the discussion at the present moment; but one word he must say in justice to himself, because in the telegram which reported the measure from India, the Viceroy, it appeared, stated that he (Sir George Campbell) had proposed such a measure. He must say that to the best of his belief that statement was not, properly speaking, correct. He had no recollection of having proposed such a measure. He believed he had done nothing of the kind. He certainly had expressed himself in strong language of the evils with which they had to cope in India in connection with the matter—no one could have done so more strongly; but as regarded the remedy, he thought that was a point the most difficult that could be conceived in an absolute Government co-incident with free institutions. Therefore, considering the matter as one of great difficulty, he had been very slow indeed to propose a remedy; and when he was an official in India, it was the one thing that he hesitated to deal with—in fact, so to express himself, he had rather shirked it. One part of the news from India certainly did astonish him, and that was that the Bill was passed in a most summary way. The question had been considered for many years, and that it should now have been passed in this extraordinarily rapid manner was to him most strange. He understood that no Notice was given of any intention to pass the measure; for that on one day, Notice was given, and on the same day it passed into law. He must therefore express his great surprise that the measure had been passed in so rapid and unprecedented a manner for reasons which had in no degree been explained.

MR. FAWCETT hoped, after what had been stated by his right hon. Friend the Member for Greenwich, that the discussion would not be continued. It was scarcely possible that the House could have to consider a more important subject; but it did appear to him that at the present moment they did not possess the requisite materials to continue the discussion. He could not imagine why the Indian Government, after 10 years' consideration, should have passed this measure so rapidly. Nothing could be more certain than that for a Bill of that kind Notice should have been given just as it would have been given in that House. It was evident, from the statement of the noble Lord the Under Secretary of State for India, that the Bill had been passed by the Indian Government without consulting the authorities in England; and it was therefore the more important that the House should be placed in possession of full information before proceeding to discuss the matter.

MR. O'CLERY said, that considerable surprise had been expressed by the right hon. Gentleman the Member for Greenwich, and by other hon. Gentlemen at this Star Chamber Government in India. He desired to remind hon. Members that that House, for many years past, dealt with another country in the same way that the Indian Government had dealt with India—he referred to Ireland. In 1848, in dealing with certain Press offences, the House passed an Act called the Treason Felony Act. They found, too, that in 24 hours, the British Government suspended the Habeas Corpus Act; and, in the face of Europe, England, which had the character of being the protector of civil and religious liberty, left the liberty of Ireland in the hands of a Star Chamber in the Dublin Castle for the time being; but he was not aware that either the right hon. Gentleman the Member for Greenwich or the hon. Member for Hackney had expressed surprise when that Act for Ireland was before the House. The people of England and of Europe would see from this discussion that this state of things was another evidence of the value of the British Constitution, and that every people except Englishmen themselves enjoyed it. He was sure this discussion would be read in Ireland with great interest, because it would show the position that India was fast arriving at as an Empire under the British Constitution.

MR. O'DONNELL said, that especially in deference to the wish of the right hon. Gentleman the Member for Greenwich, he begged the leave of the House to withdraw the Motion.

LORD GEORGE HAMILTON explained. He had not stated that the Secretary of State had not been consulted on the subject, but that he was not in possession of the text of the Act or of the discussion which had passed in regard to it.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICES, SUPPLEMENTARY ESTIMATES, 1877-8.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS V.—COLONIAL, CONSULAR, AND OTHER FOREIGN SERVICES.

(1.) £20,033, Diplomatic Services.

MR. GOLDSMID desired some explanation of the two items mentioned in the explanatory Note—

> "£3,200 for the special mission of the Earl of Rosslyn to Madrid to attend the marriage of the King of Spain, and £4,500 for the Duke of Abercorn's special mission to Rome to invest His Majesty the King of Italy with the Insignia of the Order of the Garter."

No one could have been more desirous than himself to see this country not only well but handsomely represented in the case of the late special mission of the Duke of Abercorn to one of the most promising of European countries, one that had done much for liberty, and one for which he was sure they all anticipated a great future. He did not object, therefore, to a fair amount of liberality in the Estimate. Still, things might be done too handsomely; and though he was informed that the ceremony of investing the King of Italy with the Insignia of the Order of the Garter was an expensive one, it seemed to him that £4,500 was a very large sum to pay for the journey of the Duke of Abercorn with a retinue of some 20 or 25 persons to Rome, his stay there for a few days, and his journey home again. He did not wish to go into details; but having had, on many occasions, to conduct a large family across the Channel, and to a very considerable distance across the Continent, he knew very well the cost of ordinary travelling, though, of course, he could not say what the cost of extraordinary travelling would be. At all events, he should like to hear some explanation of it from the hon. Gentleman the Under Secretary of State for Foreign Affairs. If the hon. Gentleman could assure him that not more had been spent than was reasonable and proper, he should be quite satisfied. He did not desire, by any means, that this country should be represented abroad in a mean or niggardly manner. Indeed, he did not think it was adequately represented on a recent occasion of great mourning in the House of Savoy. It was generally said that, for their shortcomings on the one occasion, Her Majesty's Government endeavoured to make up on the other. Now, to that principle he altogether objected. He thought Her Majesty's Government would have done better to have caused this country to be represented at the Funeral of the King of Italy by someone who could worthily have taken part in the ceremony along with the Crown Prince of Germany and the distinguished Representatives of other nations. With regard to the special mission of the Earl of Rosslyn, he would only say that some hon. Members would like to hear some explanations from the Under Secretary of State for Foreign Affairs on that subject also.

Mr. BOURKE regretted that this country should not have been more fully represented on the occasion of the Funeral of the King of Italy, and that some disappointment should have been caused in the matter both here and in Italy. He thought it fortunate that an opportunity should so soon afterwards have occurred of showing that the friendly feelings between the two countries were as warm as ever; and he did not think the House would regret that that opportunity should have been taken advantage of. In regard to the ceremony in connection with the Garter, precedent had been strictly followed. The expenses af such a mission as the Duke of Abercorn's, designed, as it was, to worthily represent Her Majesty on a great occasion, and to testify to the friendly feelings existing between England and Italy, could not be estimated beforehand, and, therefore, a round sum of £4,500 was put down. The bills had not come in when the Estimate was printed; but, judging from those which had been received within the last few days, he believed the whole expenses of the mission would fall very far short of the sum mentioned in the Estimate. Probably £1,000 would be surrendered to the Exchequer. He might add that, notwithstanding the number of persons forming the suite of the Duke of Abercorn, only the expenses of four were charged upon the Estimate, and that the proper performance of the ceremonial rendered it necessary that the Ambassador should be accompanied by Garter King-at-Arms. The mission of the Earl of Rosslyn was of a peculiar character. Though there were a great many precedents for missions to invest Sovereigns with the Garter, there was an absence of such precedents for the mission to Spain. Sovereigns being usually married before they ascended the Throne, the Marriage of a King was a very rare occurrence. Moreover, there were circumstances connected with this Marriage of a special character, and of which Her Majesty's Government thought they ought to take notice. It was founded upon personal affection; and the Government thought it desirable to congratulate not only the King of Spain, but also the Spanish nation, upon an event which was likely to inaugurate a new state of things at the Spanish Court, and conduce to the best interests of Spain. Accordingly, the opportunity was taken for a warm expression of friendly feelings and congratulations, and an exchange of international courtesies. The expenses had been strictly looked into; but it was inevitable that they should be large. On arriving at Paris, the members of the mission had to provide themselves with horses and carriages, and these horses and carriages they had been obliged to take to Spain. He did not think that any expense had been incurred needlessly. Travelling was expensive in Spain; and it was essential to the main object of the mission that it should correspond with the ancient pomp of the Spanish Court, and with the representation of other countries on the occasion.

MR. KNATCHBULL-HUGESSEN expressed satisfaction at the remarks of the hon. Gentleman the Under Secretary of State for Foreign Affairs. He (Mr. Knatchbull-Hugessen) had at first been somewhat staggered at the sum named in the Estimate, and he was glad to hear that it was beyond that which would actually be required. There could be but one feeling in the mind of the Committee and the country on the subject—that, although the expense, as it appeared in the Estimates, might seem great, it would have been more to be regretted if the mission had not been carried out in a manner consistent with the dignity of this country and the sincere good wishes which we entertained towards the Kingdom of Italy. He was bound to say that he, in common with many other persons in the country, felt some regret that on the death of King Victor Emmanuel some person intimately connected with Royalty was not sent to represent Her Majesty at the Funeral. He had, however, thought it undesirable to express that regret publicly in the House, being sure that no slight to Italy had been intended on that occasion; and it was gratifying to think that the Government had shown the desire which was undoubtedly entertained by this country to do all the honour it could to Italy, and to show its regard and esteem for the Italian Kingdom and people.

SIR EARDLEY WILMOT observed that he believed he was the only Member of the House of Commons who had been present at the magnificent spectacle of the Funeral of King Victor Emmanuel. He called it magnificent, for in the whole course of his life, and having witnessed many State pageants, he had never seen any which would in any way bear comparison with it. He could not help expressing his warmest admiration and respect for the noble manner in which the Italian nation had, with a spontaneous and genuine mourning, performed the last obsequies to that great Sovereign whom they had revered and loved. He could not deny that he had heard general regret expressed at Rome, that the British nation had not been represented in that splendid procession by one of our own Royal Family, or—as had been done by France—by one of those distinguished Generals who had deserved well of our country; but, at the same time, from what he had heard, he did not consider that those expressions of regret had in any way weakened or lessened those cordial feelings of friendship and esteem with which England was regarded by the people of Italy; and, looking at those feelings, he could not help wishing that Her Majesty's Government would cement more closely their alliance with that young and daily becoming more powerful nation, whose influences extended into every part of the Mediterranean — a quarter in which we ourselves had such important interests. With regard to the mission of the Duke of Abercorn, the high compliment thus paid by our gracious Queen to the new King of Italy, as well as the Representatives selected to convey the honour to Rome, had, he had reason to believe, given very great satisfaction to the Royal Family of Italy, and to the Italian nation, and had entirely effaced and removed any regret the Italians might have felt on the occasion of the Funeral; and he (Sir Eardley Wilmot), for one, could not for a moment grudge the expenditure of the sum found in the Estimates—in fact, if it had been much larger, he would have gladly voted for it, if it had been necessary for the proper discharge of the duties of the mission.

MR. MONK, who also disavowed any desire to see this country represented in a mean or niggardly way abroad, inquired why there was no mention in the Estimates of the mission of the Earl of Roden on the occasion of the death of Victor Emmanuel?

MR. W. H. JAMES observed that the heavy expense of missions was often due in great part to the lavishness of servants and subordinates, who went to the best hotels, and, as he understood, had *carte blanche* for whatever entertainment they pleased to have. Nothing, he thought, could be more unfortunate than that an English Embassy should imitate the vulgar extravagance of the American tourist. Simplicity would be much more becoming. So far as Italy was concerned, we appeared to have oscillated between the two extremes.

Mr. BOURKE explained that the mission of the Earl of Roden did not appear in the Estimates, because it was one of personal respect on the part of Her Majesty.

Mr. SHAW LEFEVRE, observing that there was an item of £1,500 in this Vote for expenses connected with the proposed Commercial Treaty with France, asked what the present position of the negotiations was? He did not all complain of the amount of the Vote, which appeared to him extremely reasonable.

Mr. BOURKE stated that the negotiations were broken off at the request of the French Government some time ago, and that the French Government had not since shown any readiness to re-open them, owing, as they explained, to the extremely depressed state of trade in France at the present time. He wished he could hold out some immediate prospect of the negotiations being renewed; but, unfortunately, he was unable to do so.

Vote *agreed to.*

(2.) £2,090, Colonies, Grants in Aid.

(3.) £400, Suez Canal (British Directors).

Mr. D. JENKINS complained of the excessive charge made for pilotage in the Canal, and hoped the Government would call the attention of the Directors to the fact.

Mr. BOURKE said, the Government had had this question before them for some time. It was a difficult one to settle; but he could assure the hon. Member that the aim of the Government would be to secure the best terms possible.

Vote *agreed to.*

(4.) £6,326, Treasury Chest.

Class VI. — Superannuation and Retired Allowances, and Gratuities for Charitable and other Purposes.

(5.) £6,000, Superannuations and Retired Allowances.

(6.) £3,000, Relief of Distressed British Seamen Abroad.

(7.) £18,000, Commutation of Annuities.

Mr. MONK asked if this amount would complete the commutation of the Schomberg Annuity, or whether a further sum would be charged on the Consolidated Fund for that purpose? The amount of £18,000, charged as a Supplementary Estimate on an original Estimate of £8,000, seemed a very large one for the commutation of small annuities.

Colonel STANLEY said, he did not think the commutation of the Schomberg Annuity would be quite completed by the amount granted under this head. As to the remainder, the sum was taken for the commutation of upwards of 70 small allowances hitherto paid from the Consolidated Fund; and the principle which had been observed in respect to those commutations was the generally accepted one—that, whenever the Treasury could purchase small annuities charged on the Fund, on satisfactory terms, they did so, though it would be obviously undesirable to take extraordinary steps to purchase them.

Vote *agreed to.*

Class VII. — Miscellaneous, Special, and Temporary Objects.

(8.) Motion made, and Question proposed,

> "That a Supplementary sum, not exceeding £8,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Salaries and Incidental Expenses of Temporary Commissions."

Major NOLAN inquired when the Report of the Commission on Local Government and Taxation of Towns in Ireland would be presented?

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) said, the Commission referred to was appointed on the recommendation of a Select Committee of that House in the year 1876, and it was thought desirable that local inquiries should be made by the Commission in Ireland. The Commission was re-appointed in the year 1877, and, as the hon. and gallant Member knew, it had collected a large amount of valuable evidence as to the condition of Ireland. The Commission would meet for the purpose of considering its Report before Easter, and he hoped it would be presented very soon after Easter. As regarded the Poor Law Unions, Ireland, Commission, it had not yet concluded its labours; but its Report would be laid before the House at the earliest possible moment.

MAJOR NOLAN said, he should be glad to know whether the Report of the Poor Law Unions, Ireland, Commission would be presented before the end of June?

SIR GEORGE CAMPBELL asked for some particulars as to the number of gentlemen on each Commission, and the salaries received by them? The item for salaries to the Local Government and Taxation of Towns Commission was considerably over £4,000, and that seemed to be a very large expenditure under such a head.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, it would be seen by the Estimates that the work of the Local Government Commission had extended over two years, and the legal Commissioners were each paid five guineas for every working day.

MR. M'LAREN said, it seemed that the Commissioners were also allowed one guinea a-night each for subsistence, so that they would be receiving six guineas a-day each for their services. He wished to know how it was that the Commissioners were paid at such a rate? The Irish Poor Law Union Commissioners appeared to have received three guineas a-day each. When temporary Commissioners were appointed in England or Scotland, their services were given without payment; and he did not know why men could not be found to do gratuitously the work of such Commissions in Ireland. The Vote referred to their leisure time, as being occupied in the work, and he thought well-qualified men could easily be got, as in England and Scotland, to do the work, without making a charge on the public purse.

MR. W. H. JAMES wished to know what was the evidence given before the Local Government and Taxation of Towns Commission which involved an expense of £1,000 for shorthand notes?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, that out of three of the Commissioners two were gentlemen of standing at the Irish Bar, who ought to be fairly remunerated if they had to leave their professional duties to attend to the business of a Commission. Five guineas a-day did not appear to be too much to pay for such a service. One of the Commissioners did duty voluntarily, and simply with a desire to obtain information for the benefit of the public. With regard to the charge of £1,000 for shorthand notes, the Local Government Commission collected a great deal of evidence which it was thought necessary that a shorthand writer should take down and transcribe.

MR. M'LAREN did not think the explanation of the right hon. and learned Attorney General for Ireland was a satisfactory one. Why were the services of gentlemen of the Bar necessary at all in such a case? Would not gentlemen who were not members of the Bar have performed the duty equally well from patriotic motives? Commissioners were found to give their services gratuitously out of Ireland. It would appear as if the Members of the Local Government and Taxation of Towns Commission had found time to perform their duties after the Courts had risen.

MR. O'DONNELL asked for the names of the Commissioners, and then it could be ascertained whether they were absent from the Courts while they were performing their duties on the Commission?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) replied, that two of the Commissioners who were barristers were—Mr. W. A. Exham, Q.C., and Mr. E. B. Lawless, Q.C. The third Commissioner was an Englishman, formerly in the service of the Local Government Board, and was not a barrister.

MAJOR NOLAN said, he was most anxious to know when the Poor Law Union Commission would present its Report?

MR. CHAMBERLAIN asked for the name of the gentleman on the Local Government and Taxation of Towns Commission who did his work voluntarily?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) believed it was Mr. Livedale Corbett. He hoped the Poor Law Union Commission would conclude its labours and Report before the end of the Session, but he could not say positively.

MR. RAMSAY said, these Commissions appeared to be appointed in Ireat very considerable expense to the State, and some of the remarks made during the discussion appeared to involve the principle that barristers should not give their services to the nation gratuitously. He had sat on several Royal Commissions in Scotland, on which there were barristers of high standing, who had acted zealously in the discharge of the duties entrusted to them without the slightest pecuniary consideration for the work they performed. He did not see why Irish barristers should be remunerated for acting as Commissioners simply because they were Irish barristers.

Mr. WHITWELL inquired why the expenses of these two Commissions had not been included in the ordinary Estimates for the year, instead of in the Supplemental Estimates?

Colonel STANLEY said, the Poor Law Union Commission had been appointed on the Motion of that House on the 6th March, 1877, and therefore the sum for its expenses could not appear in the Estimates for that year. The other Commission was appointed on the recommendation of a Committee which had reported in favour of further information being obtained. He could not say why the expenses for the Commission were not included in the Estimates for the year, but would make inquiry and answer a Question on the subject if the hon. Gentleman would put one.

Sir GEORGE CAMPBELL supposed the Vote could not be refused, but he considered the explanation unsatisfactory and the charge extravagant. If the Commission had sat out of Ireland, such fees would not have had to be paid.

Mr. O'DONNELL saw no reason why these heavy charges should be paid. The fact of two of these gentlemen being barristers was no reason for paying them over liberally. It was well known that a system of petting the Bar existed in Ireland; and, looking to the probability that these paid Commissioners simply employed their leisure time in doing the work of the Commission, half the remuneration asked for would be sufficient. He would move to reduce the Vote by the sum of £2,319.

Motion made, and Question,

"That the item of £4,633 for Remuneration to three Commissioners for considering the Local Government and Taxation of Towns in Ireland, be reduced by the sum of £2,319,"—(*Mr. O'Donnell,*)

—put, and *negatived.*

Original Question put, and *agreed to.*

(9.) £2,500, Miscellaneous Expenses.

Sir WILLIAM FRASER said, the amount seemed rather a large one to be devoted solely to meet the cost of conferring the Order of St. Michael and St. George on several Colonists, and for completing the insignia of various classes of the Order. He would suggest that an alteration might be made in the device attaching to the Order. As the Order was now conferred exclusively for Colonial service, it should, in his opinion, bear the device—"*Imperi Porrecta Majestas,*" instead of the Ionian motto—"*Auspicium melioris ævi,*" which had a taint of irony in it.

Vote *agreed to.*

(10.) £11,300, Epping Forest Commission.

Mr. MONK asked why the Estimate was brought forward in the shape of a Supplementary Charge for the year ending 31st March, 1878, whereas part of the proposed Vote had been spent in previous years? Then a sum of £5,163 appeared to be set down for the expenses of the Commission during the year 1878-9, a proceeding which seemed perfectly inexplicable in a Supplementary Estimate. No doubt these expenses had been incurred through the passing of an Act of Parliament; and the preservation of Epping Forest, as an open space for the public, was an object worthy of support; but the Vote ought to have been brought forward in the ordinary Estimates for the year.

Sir ANDREW LUSK also desired some information as to the Vote, as he felt a difficulty in understanding what all the money was wanted for. What had Parliament done for Epping Forest? What had the Government done for it? He knew the Corporation of the City of London had spent money to preserve the Forest as an open space; but, so far as he knew, the Commissioners had been simply an obstruction. How was it this charge came into the Supplementary Estimates?

Sir GEORGE CAMPBELL said, it appeared that one of the Epping Forest Commissioners was paid three guineas a-day "when employed on the business of the Commission," and two guineas extra when sitting as Chairman. What were the circumstances under which the day's fee was charged? Did a Commissioner give a whole day's work to the public service, or did he simply walk down to the office, and say—"Well, how are you getting on to-day; is there anything to be done?" and charge a fee for that? The system of charging so much per day seemed to be rather a dangerous one, and he should like to know whether any rules were laid down on the subject?

THE CHANCELLOR OF THE EXCHEQUER said, he was afraid he could not give any minute information upon the point referred to, but the usual rule was that the Commissioner stated himself what days he had been employed, and his statement was taken upon his authority. It was not to be supposed that any fictitious charge was made. There was no doubt that gentlemen employed on these Commissions did give a great deal of time to the work, and their disposition was rather to give more than less. The inquiry of the hon. Member for Gloucester (Mr. Monk) arose, he thought, from a printer's error. The Papers stated that an item of £5,000 was to be taken for the financial year 1878-9, and it should have been 1877-8. The total would show that the amount was for the last-mentioned period. The Epping Forest Commission had now made its Report, which, he hoped, would be the foundation of legislation on the subject.

MR. MONK asked whether the sum of £11,300, put down in the Estimates, covered the whole expense of the Commission from its foundation in August, 1871, to the 31st March, 1878? If that were so, it was only a reasonable charge; but if it were for the expenditure of the financial year only, it was an enormous and uncalled-for expense.

COLONEL STANLEY said, the Vote showed that the bulk of expenditure had been already advanced from the Civil Contingencies Fund, and this was an adjustment of the balances.

Vote *agreed to.*

(11.) £6,218, Mediterranean Extension Telegraph Company.

(12.) £640, Ashantee Expedition, Gratuities and Prize Pay.

(13.) £5,000, Grant to Lord Cochrane.

(14.) £5,239, Repayments to the Civil Contingencies Fund.

MR. W. H. JAMES directed attention to the amount of £333 17*s.* 4*d.*, being the charges for the preservation of cemeteries abroad—namely, for the Anglo-French cemetery at the Piræus, moiety of the wages of the custodian, £16 16*s.*; for the British cemeteries on the Bosphorus, salary of custodian and wages of labourers, £317 1*s.* 4*d.* Both these charges were for the year 1876-7; and he would like to know in whose care the British cemeteries in the Crimea were placed, and who were responsible for their preservation?

COLONEL STANLEY replied, that the British cemeteries in the Crimea were under the care of a Russian pensioner, who had a cottage to live in, and was paid the sum of £20 a-year. His duty was to maintain the walls and keep the tombs in a proper state.

MR. WHITWELL called attention to the sum charged for expenses in connection with the Dover Harbour Bill, 1874. They were brought up to the year 1878, and amounted to the considerable charge of £1,470 10*s.* 7*d.* A great deal of interest was taken in the Dover Harbour question, and an explanation as to the largeness of the sum placed in the Estimates would, no doubt, be acceptable to the Committee and the public.

MR. FRESHFIELD, referring to the same item, asked the hon. and gallant Gentleman the Secretary to the Treasury, whether it was a fact that the Government, having paid that money to the Harbour Board of Dover, and gained the control of the measure by that arrangement, on the understanding that they would carry out the scheme, were not now prosecuting any improvement of Dover Harbour? If that was so, the expenditure seemed to him, under the circumstances, most impolitic and unjustifiable. He would like to know, also, from the First Lord of the Admiralty, in the absence of the President of the Board of Trade, whether the right hon. Gentleman considered that the present state of Dover Harbour could be regarded as satisfactory in reference to the present contingency of war?

MR. W. H. SMITH thought his hon. Friend the Member for Dover (Mr. Freshfield) could hardly expect him, without any Notice being given of the Question, to give an answer, to which considerable importance would be attached because of the character of the subject. The expenditure had been incurred in the Sessions of 1873 and 1874. The hon. Gentleman opposite (Mr. Whitwell) would, doubtless, remember that, in 1873, the Dover Harbour Bill was prosecuted in that House by the late Government as far as the second reading. The Bill was taken up by the present Government on their coming into power, and was afterwards sent to a Committee up-stairs; but on consideration, it was found that the circumstances were not such as to enable the Government to proceed further with the measure. The expenditure to which hon. Members had referred, had been incurred at the instance of the late, and also of the present, Government; and they thought it would not be right to allow the cost of conducting the Bill to fall upon the Dover Harbour Trust. Therefore, the charge had been taken out of the public fund.

General Sir GEORGE BALFOUR wanted especially to know what the money was really for, and what were the conditions upon which the Town Board of Dover entered into the Harbour question? Had any money been paid to the Board for the relinquishment of their assumed rights over Dover? He had objected to this charge on a former occasion, and had pressed for information respecting it. He maintained that the charge was one which would more properly come under the Vote for Harbours, in which case the President of the Board of Trade might be called upon to explain it, and justify it.

Colonel STANLEY said, as this expenditure partook of the nature of a legal charge, and not a Harbour charge proper, it came more appropriately under this Vote than it would under that for Harbours. The Bill had been withdrawn only after the fullest consideration. The expenses incurred in the preparation and prosecution of the measure were chiefly for the charges of the surveyor, solicitor, and Parliamentary agent; and, considering the national, as well as the legal, character of the undertaking, it was reasonable that the money should be paid out of the public funds.

Mr. M'LAREN asked, whether the Treasury had paid any money, and, if so, to whom, for the expenses incurred by the Sheriff Clerk of Aberdeen in defending an action brought against him in his official capacity?

Mr. FORSYTH inquired whether the cemetery in the Crimea was kept up at the expense of the English or of the Russian Government? If at the expense of the latter, perhaps the hon. and gallant Gentleman could inform the Committee in what condition the ground was?

Mr. DODSON asked why the salaries of the custodians of the cemeteries in the Crimea and on the Bosphorus were charged in this Vote, if the payment was a regular one?

Colonel STANLEY explained that the charge for keeping the cemeteries in good order had always appeared in this Vote. He, however, acknowledged that it would more conveniently come under the Vote connected with the Foreign Office. With respect to the preservation of the cemeteries, according to the last Report, they were considered to be in a perfectly good state.

Mr. COURTNEY asked for some information respecting the International Sugar Conference, which had been held at Paris, Brussels, and the Hague. In this Vote, the item appeared of £326 16*s*. for the expenses of Messrs. Walpole, Le Feuvre, and Payn, in attending at the Conference. As no duty was now imposed on sugar by this country, he did not think there was any need for sending Representatives to the Conference. The labours of the Conference had not yet terminated; and, as further charges for expenses might be incurred when it re-assembled, he thought the Committee ought to be assured of the necessity of England being represented at its sittings.

The CHANCELLOR of the EXCHEQUER said, he could not agree with the hon. Member (Mr. Courtney) that this country had no interest in this question. The manner in which the duties were to be charged on the different classes of sugar involved the question whether bounty was, in point of fact, to be given by any foreign Government upon the sugar manufactured in their own country?—and that had been a question of considerable difficulty for many years past. Some years ago, there was, in the International Convention, a discussion, or an arrangement, as to the basis on which the sugar duty should be charged, so as to encourage fairness of treatment. The British Government had been a party to that. Of course, since the duty had been taken off, their position was in some respects different to what it had been before; but the Government of this country were still interested in maintaining a fair system of charge between themselves and foreign countries, as regarded the mode in which the duty was levied in France, Holland, and elsewhere, their object being to see that fair play was given to our refiners as compared with the refiners of the other countries concerned. Therefore, Her Majesty's Government felt they were doing quite right in appointing Commissioners to go to this International Convention, which was attended by the Representatives of the other Powers interested.

MR. COURTNEY had no doubt the sugar refiners of this country were interested, but he did not think the nation was. At all events, our interest was remote. It was purely a class interest, and he did not consider there was any necessity for the attendance of British Representatives at the Convention.

MR. RAMSAY asked the Secretary to the Treasury for an explanation of the balance—£197 17*s.* 7*d.*—of the expenses incurred by the Sheriff Clerk of Aberdeen in defending himself in an action, and wished to know whether that action had arisen from his own default?

COLONEL STANLEY said, £600 had been paid in the previous year on account of these expenses incurred by the Sheriff Clerk of Aberdeen, who was made the subject of an action for an alleged illegal process. Having appealed to the House of Lords, and obtained a verdict, the Sheriff Clerk applied to the Treasury for his expenses incurred as a public officer. The Treasury agreed to pay them, as an act of grace and discretion.

MR. M'LAREN said, he thought that if the payment to the Sheriff Clerk was a matter of grace and discretion, the Treasury should have left the Sheriff Clerk to pay his own expenses. With reference to the Sugar Convention, the interest of the refiners in the United Kingdom was an extensive interest, and the Government deserved credit for protecting it. If they were to act otherwise, and the trade were ruined, no doubt a just remonstrance would be addressed to them.

SIR ANDREW LUSK maintained that, if the sugar interest was to be protected in this way, other trades might claim similar consideration. It was a fallacy to adhere to these old notions, and he contended that we had nothing to do with the sugar trade, except to buy it in the cheapest market wherever we could.

GENERAL SIR GEORGE BALFOUR inquired whether it was intended that the various items which appeared in this Vote of "Civil Contingencies Fund" should be allotted to the Votes in respect of the different Departments to which they properly belonged, or were the items to remain where they were? The different Departments ought, in his judgment, to apply for each item under its proper head, and not in this one Vote of this Fund. This was in reality a banking fund account for all Civil Departments to draw on for money in excess of the funds voted to the regular order under the respective Votes. It stood to the Civil Department in the same relation as the Treasury Chest Fund stood to Army, Navy, Colonial, and sometimes political services. But both funds should be kept strictly to the business of lending money —the loans being repaid by the Departments borrowing applying to Parliament for additional moneys.

MR. O'DONNELL alluded to two other items of charge—namely, £35, the amount spent by the Crown Agents for the Colonies to enable a Native of Johanna to return to his native country, and £4 8*s.* 8*d.* for expenses incurred in transmitting a manumitted female slave from Constantinople to Malta. He called attention to these charges, because he supposed the circumstances in both cases must be of an exceptional character.

COLONEL STANLEY, replying to the hon. and gallant Gentleman (General Sir George Balfour), explained that the charges were laid, in the first instance, on the Civil Contingencies Fund. The Auditor General had brought them into that Fund, because there was no Vote to which they were properly chargeable. Whether they would be placed afterwards to the credit of the particular Votes concerned, he was not himself in a position to say. They would be brought under review, he believed, a second time; and he was inclined to think they would be placed under their respective Votes.

Vote *agreed to.*

REVENUE DEPARTMENTS.

(15.) £2,237, Post Office Telegraph Disallowances.

MR. WHITWELL asked whether the following payments were to be continued or not:—Extra pay to officers of the United Kingdom Telegraph Company, £576 10*s*., and allowances to directors and staff of the same Company? A foot-note explained that these payments were disallowed in accordance with the opinion expressed by the Public Accounts Committee in 1876. He wished to know what had become of Votes for the expenditure incurred since 1876, and whether the amount would continue to be paid?

LORD JOHN MANNERS explained that there had been some error committed in the mode in which the payment was made. The payment was not a continuous one.

MR. O'DONNELL complained that the telegraph clerks were paid at a lower rate in Dublin than in London, and also, he believed, in some provincial towns. This was unfair. The same work ought to be paid at the same rate, wherever it was done. The clerks in London were also paid for extra work; but in Dublin they were, in lieu of extra pay, allowed to leave their work earlier on less busy days, though they preferred to remain and receive additional pay, because they did not know how to occupy the spare time profitably elsewhere. He hoped the noble Lord the Postmaster General would, in this respect, place the Dublin telegraph clerks on the same footing with the London clerks.

LORD JOHN MANNERS pointed out that the subject had no connection with the Vote before the Committee. He would, however, promise to deal with it when the proper Vote came under consideration.

Vote *agreed to.*

ARMY SUPPLEMENTARY ESTIMATE, 1877-8.

(16.) £150,000, Provisions, Forage, Fuel and Light, Transport, &c.

GENERAL SIR GEORGE BALFOUR wished to know from the First Lord of the Admiralty, how he explained the fact that whilst he claimed credit for savings in the Admiralty Votes by reason of diminished cost of provisions, the Army, on the contrary, found it necessary to ask for a large Supplementary Vote because of the increased price of provisions? He therefore wished to know where any saving had been effected?

MR. W. H. SMITH: Of stores.

SIR ANDREW LUSK thought there must have been some mis-report to the right hon. Gentleman the First Lord of the Admiralty. This Vote seemed to assume that there was increased cost in the price of provisions. Now, he would like to ask the right hon. Gentleman, whether corn was any higher last year than the year before? So far as his experience went, corn was not dearer, but cheaper. Then it was said that beef was dearer. That was not so. Sugar was not dearer, tea was not dearer, coffee was not dearer, and he would like to know what articles of provisions were dearer than in the year previous? It was desirable that the Government should give some tangible reason why the Vote was larger.

COLONEL LOYD LINDSAY said, the chief reason for this £150,000 was the additional cost with regard to bread stuffs, and also with regard to meat. The Estimate was made just previous to the rise, and hon. Members would remember that the rise in corn naturally caused a rise in bread. As hon. Members were aware, there had been a rise in the price of meat as well. There had also been an addition to the number of soldiers borne on the Establishment. The number had been fully up to the mark, and rather larger than in former years. These were the three material causes of this increase of £150,000.

SIR ANDREW LUSK said, that was not a satisfactory answer at all. He did not question the additional expense of an additional number of soldiers, but this was put down to the additional cost of provisions; and he submitted again that the price of corn last year was not dearer than the year before; and, if hon. Gentlemen knew much about the price of beef, they would know that last year beef was cheaper than the year before, because American beef came into the market. He had no objection to the £150,000 for additional soldiers' rations; but that was not the reason. It was put down to high prices.

COLONEL STANLEY said, that perhaps he ought not to rise in connection with this Vote; but, inasmuch as the

Estimates last year were prepared partly under his direction, he was bound to exonerate his hon. and gallant Friend (Colonel Loyd Lindsay) from any charge. This he knew, that before he left the War Office a rise had taken place in the price of corn and in the price of rations abroad. At the same time there was, no doubt, considerable excess in the Estimates in the course of the year. The additions were partly owing to the growth of recruiting and other causes; and, therefore, he might frankly say that if anyone had to stand in the white sheet he must. He must say the Estimates were not perhaps as precise as they could have been.

MR. BATES wished to say that he sold corn at the commencement of last year at 45*s.*, and at the end of the year he sold some thousands of tons at 65*s.*

MAJOR NOLAN said, he had made inquiries, and he believed that the bread served to the soldier was made partly of seconds flour, and inferior to that which the soldier ordinarily purchased.

Vote *agreed to.*

NAVY SUPPLEMENTARY ESTIMATE, 1877-8.

(17.) £35,800, Army Department (Conveyance of Troops).

Vote *agreed to.*

CIVIL SERVICES AND REVENUE DEPARTMENTS, EXCESSES 1876-7.

(18.) Motion made, and Question proposed,

> "That a sum, not exceeding £12,814 6*s.* 5*d.*, be granted to Her Majesty to make good Excesses on certain Grants for Civil Services and Revenue Departments, for the year ended on the 31st day of March 1877, viz.:—

	£	*s.*	*d.*
Class I.			
Royal Parks and Pleasure Gardens	395	8	5
Harbours, &c. under the Board of Trade	675	1	7
Lighthouses Abroad	3,299	19	6
Class II.			
Colonial Office	36	12	6
Household of the Lord Lieutenant, Ireland	1	6	4
Office of Public Works, Ireland ..	400	16	5
Class III.			
Criminal Prosecutions, Sheriffs' Expenses, &c.	419	11	10
Land Registry Office	23	4	10
Registry House Departments, Edinburgh	671	13	5
Law Charges and Criminal Prosecutions, Ireland	3,190	7	9
County Prisons and Reformatories, Ireland	869	1	11
Miscellaneous Legal Charges, Ireland	1,469	6	4
Class IV.			
National Gallery	97	10	6
National Gallery of Ireland ..	20	17	8
Queen's Colleges, Ireland ..	780	1	11
Class V.			
Commissions for Suppression of the Slave Trade	42	1	3
Class VII.			
Miscellaneous Expenses ..	421	4	3
Total Amount Voted for Civil Services	£12,814	6	5
Revenue Departments	Nil.		
Grand Total ..	£12,814	6	5

GENERAL SIR GEORGE BALFOUR said, he saw no earthly reason why all these charges—except, perhaps, one—should not have been submitted to the House in May last year. He considered it an essential obligation on the part of every Minister entrusted with the control of public moneys to relieve himself of all the many responsibilities connected therewith, and to obtain the authority of the House of Commons for all unauthorized outlay, immediately its occurrence became known to him.

MAJOR NOLAN did not know whether they were required to discuss that sum of £12,000 altogether; because, if so, he should move the reduction of the Vote by £780 1*s.* 10*d.*

MR. W. H. SMITH remarked that the hon. and gallant Gentleman opposite (Major Nolan) was not quite clear as to what this particular Vote was. It was the result of careful examination by the Comptroller and Auditor General of the expenditure by the Public Departments of their several Votes in the year 1876. The Comptroller reported that certain Departments not only spent the Votes given to them, but exceeded them to the extent of the amounts stated in this Excess Estimate. Separate items had been carefully examined by the Public Accounts Committee upstairs, and the Public Accounts Committee had allowed these charges as having been properly incurred under the circumstances. At the earliest moment it was the duty of his hon. Friend the Secretary of the Treasury to come down to Parliament and ask for a Vote in the year 1877-8 for the amount spent in excess of the Votes for the year 1876-7. The consideration of the House was exercised by the Committee upstairs, and when he was a Member of that Committee with an hon. Gentleman opposite, they were most careful in passing these Excess Estimates. As for himself, he was glad to see that the amounts were lower this year than they had ever been before.

General Sir **GEORGE BALFOUR** was exceedingly indebted to the right hon. Gentleman for the explanation he had given; but he considered there was more to be said. No doubt, the Public Accounts Committee had the important duty of detecting all omissions and commissions; but there was a primary duty to be performed by the authority who spent money which the House of Commons had not voted. The responsibility for such unauthorized expenditure was so great that the party incurring it ought to relieve himself by applying to Parliament for sanction for his assumed liability. But here they found that the Board of Trade, in the month of May, 1876, and in January, 1877, gave an order to incur expenditure at Dover, without the sanction of the House of Commons; and they perfectly well knew when they did that they were exceeding the Estimates passed by that House. They ought to have come to that House immediately the House met in February of last year and asked for an increase to the Estimates. That had nothing to do with the Committee on Public Accounts. He quite agreed that the £12,000, as compared with former excesses, was very small indeed; and he had no doubt the course pursued by the late Secretary to the Treasury had had a great effect in preventing irregularities.

Major **NOLAN** moved that the Vote be reduced by £780 1*s.* 11*d.* At 2 o'clock that morning the Irish Members moved the adjournment of the debate; but they were not allowed to report Progress; and thus they were not only deprived of the opportunity of expressing their opinion, but their opinion could not be given to the country. The position of the Irish Members in that House was this—they saw no hope that the Government would do anything whatever for Catholic Education in Ireland. Last year they did not debate the Estimates, because they had hopes that something would be done; but at present they were entirely without hope from the Government, and there was no sign of any kind or description that they intended to place Catholic youth in Ireland on a similar footing with the children of Secularists and Protestants. They could not allow that to continue, and it was their firm resolve to oppose the Vote by every means in their power without wasting time needlessly. Ireland contributed £8,000,000 a-year to Imperial taxation; £3,000,000 or £4,000,000 might be required in Ireland, and a surplus of £3,000,000 or £4,000,000 was sent over to England to be devoted to English purposes. The fact was, the Irish people paid for their own education, and therefore ought to have whatever education they chose. Let them, therefore, have equal means of education, or let them have no endowments at all. Let Protestant and Secular endowments be swept away, and let them have their own education. In moving the reduction of this Vote, he wished it to be understood that he had no animosity to Secularist education. It was quite right that if anyone wished to educate his child at a Secularist University, he should have ample opportunities of educating his child, and he was quite willing that every man should have the opportunity of educating his children. But from what he knew, Irish Members would, in the future, very much object to voting money for the endowment of Secularist education, when only Secularist education was to be endowed in Ireland; and it was his intention, whenever a Vote came up which would afford him the opportunity, to protest against this system. If the Government insisted on forcing this money on Ireland, it was going against a majority of three or four to one as far as Ireland was concerned. Why the Government should force this measure of Secularist education on Ireland, against the wishes of the Irish people, he could not understand. If the Government persisted in this Vote, it would be seen that Irish feeling was so strong that they could no longer disregard it, and a couple of Sessions would not pass before they would find it convenient to abandon the present system.

The **CHAIRMAN**: Does the hon. and gallant Member propose to omit the item or to reduce the Vote?

MAJOR NOLAN: Sir, I propose to reduce the Vote.

Motion made, and Question proposed, "That a sum, not exceeding £12,034 4*s.* 6*d.*, be granted to Her Majesty, to make good Excesses on certain Grants for Civil Services and Revenue Departments, for the year ended on the 31st day of March 1877."—(*Major Nolan.*)

MR. CHILDERS really would appeal to the hon. and gallant Member, and would ask him to listen to a conclusive reason against his Amendment. He was not an admirer of the Irish Queen's Colleges, and therefore did not speak from that point of view; but the fact was, that under the regulations the fees received from students, instead of going directly to the Professors, were passed as a matter of account through the Exchequer, and an estimate was made of the probable amount to be paid to those who were entitled to the money. In the present case, it appeared that a larger amount than was at first estimated had been paid into the Exchequer, and it was necessary to take a Vote to pay it out. Therefore, if the Committee rejected the Vote, the position of the thing would be this—the Exchequer would have received £700 from fees which would go into the Consolidated Fund, and would not pay over to those to whom it properly belonged. Fees which had been received from students, which were intended to be paid as a matter of account to the Professors, would thus be retained by the public. The Exchequer would retain the students' money and the Professors would lose it. He was sure that the hon. and gallant Member did not wish that.

MAJOR NOLAN would be quite willing to vote compensation to the students if they were at all wronged; so that he did not see that the difficulty suggested need stop him on the present occasion.

MR. O'CLERY was of opinion that the action of the hon. and gallant Member for Galway (Major Nolan) was not action against the present Vote, but was a protest against the whole system. It was a question which they had no means of raising in public except by their action in that House. This appeared to them the most feasible way of doing it. In many of the constituencies in Ireland, one of which he had the honour to represent, there were 97 per cent of Catholics, and for the last few years not a single student had been sent from them to any of the Queen's Colleges. As the hon. and gallant Member for Galway had put it, if the Secularists in Ireland were so numerous as to require a separate system of education, let them pay for it. He had no hesitation in saying that the Irish Catholics would have no objection to pay as they were paying at this moment; and he was sure the Presbyterians would not object as they had one College—namely, the Queen's College, Belfast. One of these Colleges—namely, that at Galway, was so much a failure, that the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), when he introduced his Bill for the system of University Education in Ireland, proposed to leave it out altogether. Seeing that the action of the Irish Members was a protest against the whole system of Queen's Colleges in Ireland, he hoped the hon. and gallant Member for Galway would continue to resist this Vote.

MR. MUNTZ said, it appeared to him that the hon. Member who spoke last (Mr. O'Clery) had not accurately understood the remarks of the right hon. Member for Pontefract (Mr. Childers). The Government were not taking money in any way. They were only in the position of trustees who had received a sum of money and wanted to repay it. If hon. Members wanted to attack the Queen's Colleges, the proper time to do that was when the Queen's Colleges came before the House. This being merely a Supplementary Vote, he hoped the hon. and gallant Member would not trouble the House to divide upon it.

MR. O'DONNELL would go so far as to say that he was disposed to go so far as to suggest that the Professors should have full compensation for the fees they had not received. When the Professors accepted their Chairs in the Queen's Colleges, they expected a large amount in fees from a numerous attendance of pupils; but they only found a thin attendance at the classes, and their Chairs, accordingly, were not remunerative to anything like the extent that for their position and attainments they had a right to expect. The present was an opportunity on which we were called upon to form an opinion one way or the other. The Government might be the trustees; but the Irish Members of that House were in no respect the trustees for the Queen's

University. The Representatives of the Irish Party had opposed the Grant to Queen's Colleges and to the Queen's University in Ireland from the commencement, and they would continue to put their opposition in a practical shape in every possible way and on every occasion when the question came within their ken. They would seize every opportunity of marking their sense of these anti-national and most prejudicial institutions.

Mr. MELDON said, he should be glad if his hon. and gallant Friend (Major Nolan) could see his way not to press his Motion to a division. There was no man who would more persistently than himself oppose grants of public money to the Queen's University; but he did not look upon this Vote in the light of a grant. It was simply a Vote for the purpose of handing to the Professors certain moneys which had been voluntarily paid into the Exchequer on their behalf by the students. The Professors were entitled to certain fees from the students, and an arrangement was made whereby these fees instead of being paid directly to the Professors were paid into the General Fund for the purpose of equal distribution. The money having been thus paid into the Exchequer for a particular purpose, all that was now sought was that the Exchequer should not be allowed to retain this money; but that it should be handed over to the persons for whose use it was paid. It was in no sense a grant, nor was the principle for which Irish Members contended so strenuously the other night at all involved. Indeed, the pressing to a division the Amendment would very much weaken the opposition to the Queen's College Votes. He appealed, therefore, to his hon. and gallant Friend the Member for Galway (Major Nolan) not to persevere in his effort to throw out this Vote. If, however, he did so, he (Mr. Meldon) would vote with him, because the outside public would not draw the distinction between the Votes, and it was very important that the Irish people should know that the Irish Representatives were determined not to allow this system of education, so abhorent to them, to continue. He should be sorry, further, if a Vote was taken on the matter, as a Vote of the kind was apt to be misconstrued out-of-doors by people who could not distinguish between the amount now asked and the motive and meaning of its payment, and a sum actually asked to be voted as a grant from the country to the University.

Major NOLAN said, he could not withdraw from a position which was perfectly logical. If they started upon the common basis that the Queen's Colleges were not for the education of the majority of the population of Ireland, then they were perfectly right in objecting to the Vote. The effect of the process contemplated by the Vote was simply to make the Government trustees of the money paid by the students, and it was to this *quasi*-trusteeship to which we objected so strongly. He should not object to the money being returned to the students, who could deal with it as they thought fit; but he certainly could not sanction the system of trusteeship on the part of the Government which the Vote would set up and perpetuate.

Question put.

The Committee *divided:*—Ayes 11; Noes 294: Majority 283.—(Div. List, No. 57.)

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

SUPPLY.—REPORT.

Resolutions [18th March] *reported.*

First Twenty-nine Resolutions *agreed to.*

The last Resolution read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolutions."

Mr. O'DONNELL again objected to the granting of money to an institution which, as he had stated on the previous evening, tended to lower the standard of intermediate education in Ireland.

Colonel STANLEY hoped, that after the long discussion which had already been taken on the Vote, and the number of divisions to which that discussion had led, the hon. Gentleman would accept the decision at which the House had arrived, and would not put hon. Members to the trouble of dividing again for the eighth time.

MR. SULLIVAN said, there was no occupant of the Treasury bench from whom an appeal was entitled to greater consideration than from the hon. and gallant Gentleman. He regretted, however, that the Irish Members generally could not accede to it, for the fact was, they felt themselves constrained to challenge every item in the Vote in connection with the Queen's University. Consequently, the matter must be pressed to a division. He trusted the House would not misunderstand him. They felt it their duty to oppose to the last, and they were pledged to resist in every possible way the Vote.

Question put.

The House *divided:*—Ayes 237; Noes 16: Majority 221.—(Div. List, No. 58.)

And it being now ten minutes to Seven of the clock, the House suspended its sitting.

The House resumed its sitting at Nine of the clock.

MOTIONS.

AMERICAN MAIL SERVICE.

RESOLUTION.

MR. ANDERSON, in rising to call the attention of the House to the circumstances under which the Postmaster General has re-established a monopoly in the American Mail Service, at nearly double the rates recently paid by us, or still paid by the American Government, and to move—

> "That, in the opinion of this House, the time for monopoly in the American Mail Service has passed, and that the recent change made by the Government, after a period of freedom, in re-establishing monopoly and subsidizing favoured Companies by paying them nearly double the rates paid by the American Government and lately paid by ourselves, is wrong in principle and prejudicial to the public service;"

said, he would go back a few years and give a very brief narration of the circumstances attending this matter. Even in 1859 and 1860 a Committee of that House thought this mail service required no subsidy. In 1866, when the late Lord Stanley of Alderley was Postmaster General, he went the length of aiming at a daily service to New York, an amount of progress we had not reached to this day. In 1868 the contracts previously existing with the Cunard Company came to an end, and there was a question about the renewal of these. The Conservative Government was just on the eve of going out, and it made a new arrangement with the Cunard and Inman Lines, the Cunard for two services per week getting £70,000, and the Inman £35,000 for one, the Cunard and Inman Companies having at that time formed a combination, and offered exactly identical terms to the Government. When the Conservative Government went out, they left this new contract not completed, and there arose a question with the new Government whether it should be ratified or not. It had to lie a month on the Table of the House, and there was a debate upon it; and a Committee was moved for by the hon. Member for Lincoln (Mr. Seely), and appointed, and it considered the question. In the end the House ratified the contract—or rather submitted to, than agreed to it, as there was a strong feeling that it was not altogether right, as it was thought that the time had passed away for subsidies to be given. He (Mr. Anderson) himself voted for the contract, because he thought it was hardly fair for a new Government to upset what the previous Government had done, and on that ground alone he voted for the subsidy; for, in fact, he disapproved of subsidies. That contract came to an end in 1876; and so strong was the feeling in the House against subsidies, that the present Government never thought of renewing it; but, on the contrary, in September 1878, addressed a Circular to the Steamship Companies, which he would read—

> "General Post Office, London,
> "26th September, 1876.
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> "Gentlemen—The several contracts now in force for the conveyance of mails from this country to the United States will expire on the 31st December next, and it is not intended to enter into any new contract for the service. The Postmaster General proposes, from the commencement of next year, to forward the American mails on certain fixed days in each week, by the most efficient vessels sailing on those days, and to remunerate the owners by a payment per voyage based upon the amount of the correspondence carried on such voyage. The payment will be at the rate of two shillings and fourpence per pound for the letters, and twopence per pound for the newspapers, printed papers, and patterns or samples contained in each mail. A similar arrangement for the transmission of mails to this country has been in operation in the United States for the last two years, and the rates which are proposed to be paid by this department for the correspondence

conveyed in the opposite direction are the equivalent in British money of the rates now paid by the American Post Office, and of the rates for sea transit fixed by the Post Union Treaty. The Postmaster General desires to make widely known the arrangements that are contemplated, and in carrying them into effect, he hopes to receive the cordial support of all companies and firms running steam vessels from this country to the United States."

The Postmaster General in that Circular hoped to receive the cordial support of all the Companies and Firms running steam vessels from this country to the United States. He (Mr. Anderson) called the attention of the House to the fact that the Postmaster General had received the cordial support of most of the Companies; but two of the Companies, and those two he had now favoured with a subsidy, refused to give him the cordial support which he desired to obtain. Those that did support him were the Cunard, the Anchor, the Guion, the Allan, the North German Lloyds, the French Transatlantic and the Hamburg American — all these Companies came forward and contracted with the Government upon what he would call free-trade service, which was the right principle to go upon. The Government then had a perfectly straight course before them. They did what the House had long wanted to be done; and he now censured them for the abandonment of that course which they themselves initiated, and the going back to the old system of monopoly. The two Companies which refused to give cordial support were the Inman and the White Star; but when they had been left out in the cold for a time the Inman came in, and afterwards the White Star also came in, to the extent of agreeing to take the mails on alternate Thursdays with the Inman. The free-trade system was in operation for about a year, and there had been few, if any, complaints of its operation. They paid only £28,000 instead of £105,000 for the year's services. The Postmaster General got lists of the vessels, and selected those he thought best for the service, entering into monthly contracts. The country had had the satisfaction of having the mail service performed as well as before, while paying no more for it than the American Government had been for some years paying for the homeward service. The Cunard Company, however, was not content with the arrangement. They hungered after the good old times when they prospered under a subsidy, and they set about intriguing in order to bring those good old times back again. At last they succeeded. They got the Inman and White Star Lines to enter into a firm combination with them; and when they got that, they went to the Government and put pressure upon the Postmaster General for a new arrangement. In fact, acting as trades unions did, they struck against the work they were previously doing, and endeavoured to make their employers give in. The Government had a clear course to adopt, which was to have told them to go about their business; but they did not follow it, and it was an undignified course for the Government to have yielded to a trades union combination of this sort. Not only had it been undignified, but it had proved the worst course which they could have taken; because, by encouraging and fostering such a trades union, they were simply encouraging and fostering their enemies, and strengthening them in a continuance of their opposition. By encouraging a free-service system, however, the Government would have been rendering themselves by degrees more independent of particular individuals or of particular Companies, and might ultimately have arrived at a better service for the public. There might, perhaps, have been a little inconvenience for a time, but it would have been only for a short time. When the three Companies which he had mentioned combined together, they asked for double rates, and the Government became frightened. They certainly recognized the fact that three powerful Companies had combined in opposition to them; but, instead of declining all negotiation, they yielded so far as to negotiate, and thereby showed their weakness; and the result of that negotiation had been that, instead of the country being put in a better, it had been placed in a worse position. No doubt, the Government had come out of it with a slightly lower rate for letters, the rates asked for being 4*s*. 8*d*. per lb. and 4*d*. per lb. for newspapers and other things, while 4*s*. for letters had been accepted; but they had come out of it with a far worse consequence—the establishment of monopoly. In fact, they had given the Companies a monopoly which they had not at first asked for. All rival Lines had been excluded. The Postmaster General had ungratefully thrown over those who had formerly supported him, and favoured and subsidized those who had opposed him. He (Mr. Anderson) did not blame the Cunard, the Inman, or the White Star Company for this. They were mere trading Companies, whose business it was to make their ships pay, and get as much money as they could; but he did blame Her Majesty's Government for yielding to them. He did not charge the Government with jobbery. He believed they were entirely free from any charge of that description in this matter; but he charged them with weakness in acting as they had done in yielding to a trades union. No doubt, as he had indicated, the three Companies referred to were powerful Companies. The White Star and Inman Line steamers were unquestionably the fastest that now crossed the Atlantic. Those of the Cunard Line were for a great many years the fastest; but they had been falling behind, while their neighbours had been pushing ahead, and the Cunard Company now lived pretty much on the prestige of its old glory. It had certainly been a safe line, and by its steamers our mails had been well carried. But, at the same time, no necessity existed for any monopoly, and that was best seen by what the American Government had done under exactly similar circumstances. About eight years ago that Government was paying subsidies to the Inman, Cunard, and North German Lloyds; but when the contracts were about to expire, it said it would no longer continue the subsidies, but would have a weight scale. The three Companies refused to carry the mails on those terms; but the American Government turned them adrift, and, in strong contrast to the invertebrate condition of the English Government, which yielded at once to a trades union, showed that it had backbone enough to put aside the combination. The subsidized Companies found themselves out in the cold, and in a short time were only too glad to come in at the rates which they had previously refused. The contract expired in some three years, and then the Inman Company tendered to the American Government on that Government's own terms, and its tender was accepted. Then the Cunard also sought to do the same; but the American Government refused them, because that Company had declined to support the Government at a time of difficulty; and it was not until the American Government gave up every kind of selection, and adopted an entirely free service, that the Cunard Company were permitted to take American mails. Since then the Inman, the White Star, and the Cunard Companies all had for about three years accepted those terms with perfectly free trade, and they were now actually accepting from the American Government the exact terms which they refused to accept from the British Government. It would have been quite easy for our own Government to have stood out against combination, and there never was a better time for them to have resisted. The transport trade on the Atlantic had never been so depressed as it was now, and all the other Lines which were running across that ocean—and there were plenty of them—would be only too happy to accept the terms which had been paid during the past year, and had so expressed themselves, notwithstanding a letter published that morning. He had just received a telegram from the Guion Company, saying they were perfectly ready to call at Queenstown and perform the same service they had hitherto done upon the same terms. The old rates were, in reality, splendid tonnage rates; and it should be remembered that no sorting room was provided, the letter bags were simply placed on board, and left to lie there until their arrival; therefore they gave no more trouble than other goods. Yet other goods were taken across the Atlantic at from 7*s*. 6*d*. to 30*s*. or 40*s*. per ton; and even in good times the rates were only about from 30*s*. to 60*s*. a-ton. But, at 2*d*. per lb., the allowance for newspapers, &c., the tonnage was £18 13*s*.; and at 2*s*. 4*d*., the allowance for letters, it was £261 per ton. These were immense rates compared to those on goods. What figures did the new rates produce? Fourpence per lb. paid for newspapers amounted to £37 6*s*. per ton, and 4*s*. 6*d*. for letters to £448 per ton. £448 for a ton of one kind of goods, and 7*s*. 6*d*. for a ton of another kind! It was, therefore, quite credible that the other Companies would be delighted to take the Post Office letters at the old rate when the three combining Companies refused to take them except at the higher rate. What was the reason assigned for that higher rate? It might be gathered from what had been stated by Mr. John Burns, the chief partner in the Cunard Company, who had written as if he were doing a great service to the Government in taking their mails at all, and this at a time when numbers of steamers were actually laid up for want of freight. He said this arrangement with other two Companies, for getting double the rates which were obtained for bringing the letters homeward, was "unique for its efficiency and economy." He (Mr. Anderson) had never doubted the efficiency of the service, but he thought its economy might be doubted. The writer of the letter said also—

> "It does not follow that because the rates for homeward mails are insufficient, those for the outward mails should likewise be so."

In other words, he asked this Government to pay for the shortcomings of the American Government; and, because he chose to do the work cheaply for the American Government, he laid on an extra price for the English Government, and considered that that made the service unique for its efficiency and economy. Then he talked of specie; but he (Mr. Anderson) was told that it would be easy for anyone to arrange for specie to be carried in those vessels at 2*s.* 6*d.* for £100 sterling. When that was reduced to tonnage, it amounted to £134 a-ton. Therefore, he would be carrying specie—which he said was the very highest thing—at £134 a-ton, while he asked for English letters £448 a-ton. Well, the only reason that really was assigned for making this extra charge was for calling at Queenstown; but that was a perfectly hollow claim, because the vessels called at Queenstown with the homeward mails. But there was a claim made on the ground of delay, and undoubtedly there was a delay in calling at Queenstown—said to be from six to nine hours; but if it were counted from the beginning of the year to the end, it would not be so much as that, and he was certain it could be made a great deal less if the shipowners chose. It arose, in a great measure, from the steamer leaving Liverpool at an unnecessarily early hour, as passengers knew to their annoyance. During the whole of the summer and for half the winter sailings it might easily be avoided; for it would be easy to leave Liverpool by the afternoon tides, and then the delay at Queenstown would be nothing worth speaking of. But this rule as to delay applied equally to the Anchor, State, and Guion Lines, which last Line, as he had said, was quite willing to continue the service at the old rates, calling at Queenstown. He would now proceed to show what service the Government could have had at its disposal if it had had the firmness to throw over the combination and trust to other Lines and free competition. The North German Lloyd's called at Southampton every Tuesday, and its average sailings from that port were from 10 to 11 days—equivalent to 9 to 10 days from Queenstown—and it was, therefore, a quick Line. The Anchor line sailed from Southampton every Thursday. It had been sailing in summer only, but was quite willing to sail in winter if an arrangement could be made; and that was a fast Line. The National Line sailed from Liverpool every Wednesday, and from Queenstown every Thursday; its average sailings were from 10 to 11 days. The State Line sailed from Glasgow, calling at Larne, and its average sailings were from 10 to 11 days. The Guion Line sailed from Liverpool on Saturday, and from Queenstown on Sunday, and its average was from 9 to 10 days—quite as good as the Cunard, but not so good as the Inman or White Star. The Anchor sailed from Glasgow on Saturday, and Moville on Sunday, and its average was also from 9 to 10 days. The French Transatlantic Line sailed from Plymouth, and also the Hamburg and American, and these could be arranged with; but, as they did not now have mails, they had discontinued calling at Queenstown. The Government might have had from these Companies, irrespective of the Cunard, Inman, and White Star Companies, two sailings a-week from Southampton, two from Queenstown, and two from the North of Ireland. Now, as to speed, the average of the White Star steamers was from 8 to 9 days; of the Inman, from 8 to 10 days; and that of the Cunard, 9 to 10 days; the last being the same as the Anchor, and not quite so good as the Guion Line was at present. This he might be expected to prove. He had the average sailings of the Cunard and Guion lines from the 9th of last December, weekly—the sailing from Queenstown and the arrival at New York. The sailing of the 9th December was in favour of the Guion by 23¾ hours; December 16, in favour of the Guion by 15¾ hours; December 23, in favour of the Guion by 52 hours; December 30, in favour of the Guion by 12½ hours; January 6, in favour of the Cunard by 36½ hours; January 13, in favour of the Guion by 31¾ hours; January 20, in favour of the Cunard by 3¼ hours; January 27, in favour of the Guion by 4½ hours; February 3, in favour of the Guion by 14¼ hours; February 10, in favour of the Cunard by 34¾ hours; February 17, in favour of the Guion by 19 hours; February 24, in favour of the Guion by 16½ hours; March 3, in favour of the Guion by 38 hours. The total average of these 13 voyages was in favour of the Guion by 11¾ hours, and the Guion was one of the lines which the Postmaster General had thrown over as a slow Line, and had refused to take any contract at all from it. Taking the sailings of the Anchor Line as against the Cunard from December 15, there was an average of 6½ hours per voyage in favour of the Anchor Line. He admitted that that was a small thing, which a few hours' further delay at Queenstown might account for, and therefore in his statement he had coupled the Anchor Line with the Cunard. But, undoubtedly, the Guion Line was faster than the Cunard Line, and had been going ahead. There was another point, and that was the gross injustice done to Scotland and the North of Ireland by the present arrangement. Scotland had the Anchor line sailing from Glasgow every Saturday, and from Moville every Sunday. Shippers of goods by an Anchor steamer could send their letters by the steamer, and the letters and invoices arrived along with the goods; but now they might go on shipping goods by the steamer, but were obliged to send letters by Queenstown, and the goods would arrive at New York before the invoices. This would not only be the case when there was perfect regularity in the mails; but it was not unusual for the Scotch mails to fail to catch the London mail at Warrington, and, when that was the case, the Glasgow and Scotch letters were actually two or three days later in getting away. Therefore, it was a very uncalled-for proceeding that the Postmaster General had adopted in making such an arrangement; for, by taking the mails from the Anchor Line, the Government had inflicted a great injustice on Scotland, which would not have been inflicted but for the arrangement of a monopoly. He would not himself enter into the Irish grievance, as the hon. Member for Londonderry wished to do that, but it was quite as great; because, while it had been worth the while of the Anchor Line to call at Moville for mails and passengers, it had ceased to be worth their while to call for passengers only, as it would not be worth their while to call for mails only. They had, therefore, discontinued calling at Moville altogether; and thus a great injustice had been done to the North of Ireland. If the Postmaster General had resisted the combination of the three Companies, as he undoubtedly ought to have done, he might have undergone some slight inconvenience for a short time, but for a short time only; and then he would have been independent of any combination that could have been made against him, as the other Companies would have gone on improving their lines. But he had been retrograde in his policy, and had gone back to an exploded system from which the country had been free for a year. He should feel justified in pressing his Motion to a division, unless the Postmaster General could give an assurance to the House that he had it in contemplation to throw over the present arrangement and to revert to the system of free competition. The hon. Gentleman concluded by moving the Resolution.

MR. CHARLES LEWIS, in seconding the Motion, said, that the alteration which had been made ought to rest on strong grounds in order to be justified. The American Government was still continuing the rates of the past three or four years, so that it was carrying on the service for nearly half the prices which were being paid by this country for the outward bound mails. He could understand the conduct of the Government if there had been a combination on the part of all the available lines; but when the lines in combination were only three out of eight or 10, it became necessary for the Government to explain the extraordinary compact which had been entered into. He could not understand what had induced the Government to enter on a policy totally different from that which they adopted in 1876. In that year they conceived the plan of throwing open competition among all the lines, only regulated by speed and efficiency. A year later they conceived the plan of submitting to a combination of three of the leading Companies at nearly double the rates paid by the American Government for similar service, and which Her Majesty's Government themselves paid in 1877. The present arrangement was inconvenient as regarded both Scotland and the North of Ireland, especially in a commercial point of view. The result of the arrangement had been that the weekly inward American mail service of the Anchor Line from America to Ireland had been continued, while the outward service of the same Line from Ireland to America had been discontinued, involving a direct disadvantage to the North of Ireland in the way of commerce, passenger traffic, and prestige of trade. Yet, the average number of American bags carried by the Anchor Line from the North of Ireland was six on every voyage, the average from Glasgow being 10. It was most unfortunate that anything should have been done which would have the effect of checking in the slightest degree the feeble and failing trade of Ireland. He admitted fully the merits of the three Companies to whom the monopoly had been given; but he wished to remind the House that they were only three out of eight or 10 Companies, all of whom might be described as first-class lines, and who, he contended, would have given almost equally good service for a far less sum than that which the contracting Companies had obtained. On the whole, therefore, believing that some explanation of this matter further than that which had been given should be made, he begged to second the Motion of the hon. Member for Glasgow.

Motion made, and Question proposed,

"That, in the opinion of this House, the time for monopoly in the American Mail Service has passed, and the recent change made by the Government, after a period of freedom, in re-establishing monopoly and subsidizing favoured Companies by paying them nearly double the rates paid by the American Government, and lately paid by ourselves, is wrong in principle and prejudicial to the public service."—(*Mr. Anderson.*)

Mr. BAXTER said, he had hoped that he had heard a long time ago the last of this vexed question of oceanic postal subsidies. The subject was one to which he had paid much attention many years ago, when it was the fashion to give the Cunard Company a fresh contract four or five years before their old one had expired. He need not allude to the discreditable disclosures relating to the Galway job—[Major Nolan: Oh, oh!]—The hon. and gallant Member did not know, as he was not then a Member of the House, that it was more closely connected with that system than many hon. Members supposed. He (Mr. Baxter) had always protested against that system; but he had never taken up the ground in that House that subsidies might not in certain circumstances be advantageous to the public service. He admitted at once that there might be circumstances, there being no competition and scarcely any sea navigation, where subsidies might be given to stimulate navigation. But the position which he had always taken, and which he took now, was this—that wherever there were many powerful steamers belonging to different Companies plying with the utmost regularity and with great speed on any ocean, and carrying goods and passengers, it was a waste of public money to pay any of those Companies a large sum of money as a subsidy. It was a great advantage to get rapid and regular communication, and, from a personal point of view, he desired that every assistance should be given in order to facilitate its attainment; but, as a Member of that House and a Representative of the ratepayers, it was his duty to see that the service—and he was speaking not of this particular service, but on general grounds—should be performed with the utmost economy consistent with efficiency. He contended that this new arrangement between these Companies and the Post Office was nothing more nor less than a subsidy given for services, and that on the North Atlantic Ocean, where there was more competition than on any ocean in the world. The noble Lord the Postmaster General (Lord John Manners) took the true course last year, and had he only had the courage to continue in it, he would have established this Atlantic mail service on a proper footing, and have done great service to the taxpayers of this country. But, as the hon. Member for Glasgow (Mr. Anderson) had said, he had yielded to nothing more or less than a trades union. He (Mr. Baxter) did not wish to say a word against any of the great Companies who had got that monopoly. The Cunard, White Star, and Inman Companies were splendidly managed, and their combination on this occasion had been eminently successful. It was a combination for their own interests. Almost alone in that House he stood up more than 20 years ago against the Cunard Company getting a monopoly of the mail service. It was supposed at the time that he had an interest in the Inman Company, and it was even mentioned in the House; but when the Inman joined with the Cunard, he opposed the monopoly to two Companies, as strongly as he had before opposed the monopoly to one, and as strongly as he now did the monopoly to three. These three Companies had been successful with their persuasions with the Postmaster General; but they might depend upon it, it would only be for a time. The people of this country would never go on paying for the carriage of mails across the Atlantic very nearly double what the American Government was paying. He went further, and said he believed the American Government at this moment were paying too much. They had heard a good deal about the Steamship Companies undertaking to start at a certain time, and to perform the voyage at a certain speed; but these representations were sheer nonsense. They would do all these things altogether irrespective of their grants for the mail bags. But he felt perfectly confident, as he had said over and over again, in and out of office, that there was nothing to prevent the American mail service being at this moment conducted for the mere freight of the letter bags. A few years ago one of these Companies had it in contemplation to offer to Her Majesty's Government to do this; and he was confident that the Cunard Company, rather than loose the mails, would carry them for the mere honour of the thing, as was now done between Belfast and Greenock. In fact, the Post Office authorities were now, and had always been, too soft, lax, and squeezable in this matter of contracts. The Companies had too much influence with them, and made representations to the Post Office authorities which business men knew to be quite fallacious. He quite acknowledged that the present Postmaster General wished to do the proper thing, both as regarded the Post Office and the general public, and had dealt as fairly as possible with all parties; but, as the hon. Member for Glasgow had said, and he (Mr. Baxter) concurred with him, if the Postmaster General were manly enough to stand up against any combination, there would be, in the first instance, not only a little, but a good deal, of inconvenience to the public service. But he believed it was the duty of the Postmaster General to do so, and all that was required was a little firmness. As to the Queenstown matter, that was a mere question of detail; and the House might depend on it that it had nothing to do with the placing of the service on a free and proper basis. The fact was, this system of subsidizing had existed 25 years longer on the North Atlantic than it ever ought to have done, and it had demoralized all the parties concerned. This was the last effort to keep it up; and he felt perfectly certain that whatever might be the fate of the Motion of the hon. Member for Glasgow, and whatever the answer they would get from the noble Lord the Postmaster General, sooner or later, and the sooner the better, the Post Office authorities would have to take up a determined stand in the interests of the public, and let these Companies, not only in the North Atlantic but in the other oceans, knew once for all that the days of monopoly and high charges, which he begged the House to keep in mind meant high postage, were at an end.

MR. MAC IVER said, he did not wish to defend all the details of these contracts, and he agreed with the hon. Member who brought forward the Motion (Mr. Anderson) that the good services of the Anchor Line from Glasgow had not received the consideration they deserved. Four years or more had elapsed since his connection with the Cunard Company ceased, and he had now no interest either in that, or in any other Company in the trade. Still, he had been for 17 years behind the scenes, and might be permitted to give the result of what had occurred in his time, without in any degree unduly favouring the Company in which he was once interested. The hon. Member for Glasgow had, in his opinion, made a most unwarrantable attack on the Government. The very troubles of which the hon. Member complained were traceable to mistakes which had arisen at Glasgow, and among the hon. Gentleman's own friends. There had been no unreasonable combination between the three Companies in question. Those steamers which were really fit to carry mails across the Atlantic in a satisfactory manner were in very few hands. Indeed, he knew the materials did not exist in British steamers that would enable our Post Office to establish a satisfactory mail service which did not include these three Companies. He agreed, however, that the contracts should be extended further, so as to include the Anchor Line, and that the Government should be at liberty to employ any fast vessels as they were built from time to time. The hon. Member for Glasgow, who compared the passages of the Guion steamers with those of the Cunard steamers, omitted to mention that he was not comparing them with the passages made by the fast steamers of the Cunard Line. Before he had a seat in that House, the American Government were endeavouring to act on the principle which the hon. Member for Glasgow justified. The mails then came principally by the Guion steamers, and goods constantly came by fast steamers some days before the arrival of the letters announcing that they had been despatched. In Liverpool, Manchester, and every great trading centre, the complaints about the delay of the mails were at that period loud and deep. The Government could not employ almost exclusively foreign steamers already subsidized by their own Governments, such as would satisfy the legitimate requirements of the British Postal Service; while with regard to the large question of principle, nobody in the possession of steamers which were fit to carry the mails would conduct any satisfactory postal service unless they were compensated for the work in some way or other. Of course, the owners of more or less inferior vessels would always be glad to carry the mails at a cheaper rate on account of the character which would be given to their ships by being so employed. It was not, however, a question of carrying tons of letters at once, as the hon. Member seemed to suppose. Letters were not carried by the ton. If there was any large quantity conveyed, no doubt the payment might reasonably be reduced. Mail-carrying, whether across the Atlantic or elsewhere, must always be more or less in the nature of a monopoly. The public would rather pay a reasonable sum for an efficient mail service than a low sum for an irregular and unreliable service. Surely, in regard to inland mails, it would not be argued that anybody who happened to possess a wheelbarrow might—if he would only offer to do it cheap—be entrusted with the conveyance of letters? The right hon. Gentleman the Member for Montrose (Mr. Baxter) and the hon. Gentleman who preceded him (Mr. Charles Lewis) had spoken as if this mail-carrying was a hugely profitable business. During the many years he was concerned with it, he found that the profits were more than absorbed in the expenses of the service expected to be performed. He did not think the Companies had at all acted unfairly. Who among hon. Members would undertake to build steamers of a class superior to those required for ordinary traffic, and go to the expense of a detention at Queenstown without due compensation? Nor did he see that the Post Office were to blame except, perhaps, for having negotiated too exclusively with one gentleman. The position of matters, in a word, was this—the Government required something better than a mere trading service, and that something they could only expect to obtain by paying for it. He thought it not unreasonable that there should be some closer association between the mail service and the Royal Navy.

Mr. T. DICKSON thought the arguments of the hon. Member for Glasgow (Mr. Anderson) still remained unanswered. It seemed to him most unbusinesslike that the service performed by one Company every week from Londonderry at a cost of 2*s*. 4*d*. per lb. should have been handed over to another Company at 4*s*. per lb., especially when no fault was found with the steamers of the first. The noble Lord the Postmaster General seemed to have ignored the commercial interests of the North of Ireland altogether, and to have studied only the interests of the Companies. Such conduct had created great surprise, and had given rise to inconvenience to the merchants of the North of Ireland. He asked the House, by its vote on the Motion, to show that the North of Ireland was worthy of a mail service, and that its commercial interests should not be sacrificed to that of shipowners.

Major NOLAN contended that the endeavour of the borough and county of Galway, as well as of the Representatives of Irish constituencies generally, to secure for that part of Ireland the advantage to which it was entitled by its position of being made a point of communication between Great Britain and America, was by no means deserving of being called "the Galway job," as it had been by the right hon. Gentleman the Member for Montrose (Mr. Baxter). It was the opinion of the Irish Members that there should be one post in Ireland in direct mail communication with America; but by subsidizing English Companies all Irish ports were shut out.

Mr. PULESTON pointed out that when the late arrangement for the conveyance of the mails between this country and America was abolished, it had been reduced to a state of perfect chaos. It was consequently found that some different arrangement was demanded by the great commercial interests of the country, and it had to be made with some Company. The facts, were, indeed overwhelming in support of the view that the service under that system was so bad that it could not possibly, consistently with due regard to the commercial relations between the two countries, be suffered to remain unchanged. He had known letters to have been, not once or twice, but frequently, delayed 15 or 16 days before the new arrangement was entered into, and it was quite clear, from experience, that if we wanted to have a thing well done, we must pay for the advantage. He thought that we should scarcely have had the great fleets of grand steamships in this country had it not been for the fostering care of the Government in their early history; and the new contract which had been entered into would be very bad indeed if it did not prove a great improvement upon the former hap-hazard arrangement. He was opposed to the system extolled by the hon. Member for Glasgow (Mr. Anderson).

Mr. MACDONALD argued that to give a subsidy as in the present instance was to confer a monopoly, which, he contended, the Government should avoid doing, either directly or indirectly. He had, he added, himself crossed the Atlantic five times, and on three occasions the Anchor Line steamer, in which he had taken his passage, had got into port before the Cunard, although the former did not carry the mails, and had no such inducement to arrive at her destination quickly as the latter. On one of the occasions, the Scottish Rifle Team in going out took the Cunard steamer. The Anchor Line steamer was in port 48 hours before. The weather was alike for both. He felt some stern light when they were so unpatriotic as to go out of the country to travel by another line. Again, the accommodation afforded to the West of Scotland was a great injury to the trading community, and he begged of the House to mark their disapprobation of the transaction. He looked upon the present system as one of the worst forms of trade combinations —a combination backed by power and money; and he trusted the House, by a vote on the Motion, would crush out the monopoly and subsidies to any Line of steamships whatever. There ought to be a fair field and no favour. If a body of working men made a combination to crush out any fellow-labourer, the result would, no doubt, be three months with hard labour.

Sir ANDREW LUSK said, that unlike the hon. Member for Stafford (Mr. Macdonald), he had never crossed the Atlantic, and could not, in consequence, speak from experience; but he was aware that many of the Companies had carried the mails punctually and quickly, and that the old system had, on the whole, worked well. He thought that the noble Lord the Postmaster General had treated the Anchor Line rather shabbily. There could be no doubt that the Anchor steamers were very fine vessels, and had done their work remarkably well; and he (Sir Andrew Lusk) did not think it was right to get rid of an old servant in the way which had been done. There was great prestige in carrying the mails, and honour was a thing which was valued in commercial as well as in other departments of life. What did gentlemen want to get into Parliament for? They exposed themselves to much abuse, and sacrificed a great deal of time; and honour was one of the things for which they wished to enter that House. He did not think that a Line which did their work so admirably as the Anchor Line should have been jostled aside in that way.

SIR EARDLEY WILMOT said, that strong representations having been made to him from the North of Ireland relative to the injury and injustice done to the trade and commerce of those districts through the act of the Government in concentrating the mails for North America at Queenstown, he had listened with attention for some arguments in favour of the course pursued by the noble Lord the Postmaster General; and he should anxiously await the explanation about to be given by his noble Friend (Lord John Manners). The arguments already adduced in support of the new system appeared to him (Sir Eardley Wilmot) to condemn it, especially those brought forward by the hon. Member for Birkenhead (Mr. Mac Iver), whose speech had been directed to the several heads of speed, efficiency, and economy. He would take those three heads separately—and, as regarded speed, it had been disposed of by the hon. Member for Stafford (Mr. Macdonald), who had crossed the Atlantic to America from Glasgow in one of the steamers of the Anchor Line, and had actually arrived at New York 24 hours before one of the favoured Cunard steamers had put in an appearance. Other testimony to the same effect had been given. Then, as regarded efficiency, he had in his hand the copy of a letter from the Postmaster General of the United States, written from Washington, in which he had testified to the thorough efficiency of the Anchor steamers, and to the great regularity with which they had performed their voyages from Glasgow to New York. As regarded the third head of economy, the hon. Member for Glasgow (Mr. Anderson) had fully shown that, whereas the cost of letters before the late change was 2*s*. 4*d*. per lb., and 4*d*. per lb. for newspapers, it was now 4*s*. per lb. for letters, and 8*d*. per lb. for newspapers—quite double the cost for the latter, and very nearly double for the former; and if efficiency and cheapness went together, he considered they ought to lean always to the side of economy. Now, in the case so ably presented to them by the hon. Member for Glasgow, there were three principal features. First, the question of monopoly, as exemplified in the three Companies favoured by the Post Office; secondly, the case of Glasgow; and, thirdly, that of Londonderry and the North of Ireland. As regarded the first, it had been so fully disposed of by the right hon. Member for Montrose (Mr. Baxter), that he thought he need not trouble the House with any further remarks on that. The axiom was as old as our first copy-books, where was to be found the text, "Monopolies are odious;" and he quite concurred with the right hon. Member for Montrose, that nothing was so prejudicial to the interests of trade and commerce as monopoly, and nothing so favourable to their advancement and healthy state as free and fair competition. As regarded Glasgow, it did seem hard that a community so flourishing, and scarcely second to any in the Kingdom as regarded its trade and manufactures, should suddenly be deprived of an advantage only lately conferred upon it, and of which it had shown itself worthy in every way. It had been left out in the cold, while other cities had been taken into special favour. And what were the facts of the case? That at 7.15 P.M. every Saturday evening the box used to be closed at the Glasgow Post Office for making up the American mail; whereas now, under the new *regimé*, it was closed at 5.15 P.M.—two hours earlier than before—which was a disadvantage to the houses of business in Glasgow. Then the Anchor Line of steamers left Glasgow that night with the mails, and on Sunday morning entered Lough Foyle, calling at Moville for the Londonderry and North Irish letters and passengers, and proceeding thence straight away to New York, where they arrived almost always before the Liverpool steamers, which had called at Queenstown. The last point in the argument was Londonderry, and the inhabitants of that city and district complained that they had been unduly deprived of the advantage of the Glasgow steamers calling at Moville, inasmuch as the mail service having been taken from the Anchor Line, the steamers of that Company now sailed direct to New York without touching at Londonderry. Thus the passengers from the North of Ireland, who wished to cross the Atlantic, were now obliged to go by rail to Dublin and Queenstown, and there embark, which entailed upon them considerable inconvenience and expense. He had in his hand the copy of a Memorial addressed to the Postmaster General by the Harbour Commissioners of Londonderry, complaining of the great check to the trade and commerce of that part of Ireland, which had begun rapidly to develop themselves under the advantages of the Anchor Line, making Moville a point of departure for America, but which the removal of the mails to Queenstown had injuriously affected. The memorialists represented that, in view of the Glasgow steamers calling in Lough Foyle, they had made a large outlay in improvements in the harbour of Londonderry, by the erection of lighthouses and the formation of docks and quays. All these improvements had been made with a view to the mails from the North of Ireland continuing to be shipped from Londonderry. Under these circumstances, however much he should regret not being able to support the Government, he considered the case presented by the hon. Member for Glasgow and the hon. Member for Londonderry (Mr. Charles Lewis) so overwhelmingly strong that, unless it could be successfully met by his noble Friend the Postmaster General, he should feel constrained, however reluctantly, to give his vote in favour of the Resolution.

Sir FREDERICK PERKINS protested strongly against the injustice done to the North German Lloyd's Company, whose ships sailed from a port in which he was interested, by the withdrawal, without any sufficient reason, of the confidence which the Government had reposed in them. The vessels of that Company were as numerous, as well manned and officered, and their power and speed were as good, as those of the three Companies on whom the favour of the Post Office authorities was now concentrated. They had carried the mails many years, doing their work regularly and well; and they had, moreover, been the means of breaking down a system of monopoly. It was, therefore, most unfair, and he might say unjust, on the part of that, or any other, Government, suddenly to take away this service from them, and give it to others, without any legitimate reason; while, at the same time, by that arbitrary proceeding, additional expense was thrown upon the country. He hoped the noble Lord the Postmaster General would be able to give some legitimate reason for the proceeding, and that it had not been withdrawn from mere whim or fancy.

Mr. J. P. CORRY thought it right, as the Representative of the largest constituency in the North of Ireland, to say that the people of Belfast did not complain of what the Government had done. It would, however, cause great inconvenience to the people of Ireland if the mail steamers going to and from America did not call at Queenstown. He believed that the present arrangement was as good as any that could possibly be made by the Post Office.

Lord JOHN MANNERS said, the question before the House was, no doubt, a very important one, and he had no complaint to make of the tone or the form in which the hon. Member for Glasgow (Mr. Anderson) had proposed his Resolution; although he supposed he must regard it as tantamount to a Vote of Censure. The hon. Gentleman had traced the history of the question from the beginning; but he had given the kernel of the matter in a sentence that he had read from the Circular which the Post Office had issued on the termination of the old contract. The purport of that sentence was, that the Postmaster General appealed to all the great steam shipping Companies, entertaining a hope and a belief that he would receive from them a cordial support in the introduction of the proposed new system. That was really the gist of the whole business. If he had received, and continued to receive, the cordial support which he had asked for, that system would have gone on, and there would have been no reason for departing from it, or for the Motion before the House. But it was precisely because he did not obtain that amount of assistance from some of the Companies—without which it could hardly be expected to possess anything like permanency—that after a certain number of months' trial the new system really collapsed. He most heartily reciprocated everything which had been said in favour of those Companies which had come forward at the first and which had continued up to the last to render him a cordial support; and he had therefore heard with regret from the hon. Baronet the Member for Finsbury (Sir Andrew

Lusk) that he had cast a slur on any one of those Companies. He appreciated most fully the services which the North German Lloyd's Line, the Guion Line, and the Anchor Line had rendered. They had all rendered most efficient services. If he had had to consider his own feelings, or the feelings of the Government, he should have continued to avail himself of the services of those Companies and let everything take its chance; but he had to consider not what was the conduct of this or that Company, or what might have been agreeable to the Government or to the Postmaster General for the time being, but what was for the general convenience and the utility of the public of the three Kingdoms. He had to consider what was for the convenience of the great commercial and manufacturing classes of the three Kingdoms, when the three principal supports of the system then in practice gave way under it. Therefore, while agreeing, so far as the principle went, and with the remarks made upon it by the right hon. Gentleman opposite (Mr. Baxter), and the hon. Member for Glasgow, he had to consider whether the correspondence of those classes with America should run the risk of being disarranged for the sake of maintaining a theory. Consequently, when the Companies, to which so much reference had been made, gave notice in October that after November they would no longer continue to carry mails on the terms which had been agreed upon—namely, from month to month—he had to re-consider the whole question simply for the convenience of the public, and he came, reluctantly, to the conclusion that it was necessary to abandon that system, and enter into relations with three of the most powerful and most capable of existing Companies for the conveyance of the mails from this country to the United States for the limited period of 12 months. When the right hon. Gentleman the Member for Montrose called the arrangement a subsidy or a contract he (Lord John Manners) demurred, as it was neither the one nor the other, but simply a payment for services rendered for the carriage of the mails for that period, and the Government could give six months to terminate the arrangement, and this debate would, no doubt, be taken into consideration by the Government when the proper time for giving notice arrived. By the admission of the hon. Member for Glasgow one of the three Companies with which the existing arrangement had been made was the fastest and another was the safest Line in the Kingdom. That was a very material admission.

Mr. ANDERSON: I did not say that. I said two of them—the White Star and Inman — were the fastest, and the Cunard might be called the safest.

Lord JOHN MANNERS said, if the hon. Gentleman admitted that two were the fastest, and the other the safest in the whole Kingdom, he thought that was a very satisfactory admission to make, and it showed that the existing arrangement could not have been made from any favouritism or backstair influence at the Post Office as had been suggested. The Government were anxious to carry into effect the new system. He must decline to give any pledge to the hon. Gentleman as to what course the Government might be disposed to adopt at the end of the limited period of 12 months. He thought the House would be of opinion that a question of such great practical importance ought not to be hampered beforehand by some theoretical principle, but ought to be dealt with on the broad grounds of speed, punctuality, and certainty. When the time arrived for the expiration of this temporary arrangement, he could assure the hon. Gentleman and the House that the Government and the Department over which he had the honour to preside would be most anxious to take the whole of this subject into their consideration; and if they should see a fair chance of re-establishing the system which had been tried as a mere experiment, they would be most happy to take every possible step in that direction; but it was not wise to enter upon an experiment of that sort without a very good chance of its having a lasting success. He must maintain he had not abandoned the previous system—it had abandoned him.

Question put.

The House *divided:* — Ayes 92; Noes 117: Majority 25.—(Div. List, No. 59.)

ENDOWED SCHOOLS (LEEDS POORS ESTATE).

MOTION FOR AN ADDRESS.

MR. BARRAN, in rising to move—

> "That an humble Address be presented to Her Majesty, praying Her Majesty to refuse Her assent to the scheme of the Endowed Schools Commissioners for the management of the Poors Estate, in the parish of Leeds, in the county of York,"

said, the estate in question was one of three ancient charities managed by the same body, the two others being the Highway Estate and the Free Grammar School Estate. In 1825 their several incomes were found by a Commission of Inquiry to be, Highway Estate, £818; Poors Estate, £153; and Free Grammar School Estate, £1,595; but, owing to the increase in the value of property, the income of the Poors Estate was now six times greater than it was at that time. For many generations the money of this Estate had been distributed in overcoats and petticoats to the poor; but the Endowed Schools Commissioners, in the scheme they had sanctioned for dealing with it, proposed that £700 should be applied to the maintenance of scholarships in the Leeds Grammar School, and an exhibition at one of the Universities, and that the remaining £270 should be given in doles as heretofore. Now, the Poors Estate was what its name implied, a charity for the benefit of the poor; but one-half of the £700, which it was proposed to devote to educational purposes, would be for the benefit of the well-to-do. During the past year, although the scheme had not yet passed the House of Commons, no fewer than 24 of the new scholarships had been awarded, some of them to scholars in the Leeds Grammar School, amongst whom was the son of the head master—a gentleman receiving £1,300 a-year—a clergyman's son, and also the son of a surgeon in large practice. Now this, to his mind, was unbecoming, if not illegal; and if such things were done in the green tree, what would be done in the dry when, the House having sanctioned the present scheme, the Trustees would have full power in their own hands? Surely, it was rather a risky thing, to say the least of it, to entrust them with the power which it was now proposed they should have. He objected to the scheme, also, on the ground that the Grammar School was enjoying advantages beyond the average of such institutions. The interest derived by the school from its investments was about £3,400, and the fees paid by the scholars yielded £2,400 a-year more. Although it was called a free grammar school, it charged pretty highly for the education it gave. The minimum fee was 10 guineas, which, in round numbers, would represent a total number of 240 scholars, and these 240 scholars cost £24 17*s.* 6*d.* per head. Now, he put it to the House whether they would like to entrust this scheme to men who sanctioned such an expenditure as that? He entreated the noble Lord (Viscount Sandon) to consider whether, before this scheme was carried out, the Leeds Grammar School, the Leeds Poors Estate, and the Highway Estate trusts should not be inquired into with a view to the framing of a more comprehensive and more beneficial scheme. Meanwhile, he begged to move that an Address be presented to Her Majesty in the terms of his Notice.

Motion made, and Question proposed,

> "That an humble Address be presented to Her Majesty, praying Her Majesty to refuse Her assent to the scheme of the Endowed Schools Commissioners for the management of the Poors Estate, in the parish of Leeds, in the county of York."—(*Mr. Barran.*)

MR. W. BECKETT-DENISON, in opposing the Motion, begged the House to remember that the question before them was simply the administration of the Leeds Poors Estate. The funds of this estate were about £1,000 a-year, but up till a few years ago they only amounted to £270. No records existed as to the trust under which these funds were originally left by the pious founder; but for the last 200 years or so, the money had been applied to the distribution of clothing to the poor of Leeds at Christmas. A few years ago it was suggested that it should be devoted rather to improving the education of the poorer classes, and the matter was brought before the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), then at the head of the Education Department. The new scheme received great consideration from the Trustees, and the main features of it obtained the approval of the Commissioners, and also, he believed, of the right hon. Gentleman himself. However, it was dropped, and was not revived till about a year and a-half ago, when the funds of the Poor's Estate had increased to the extent named. The Trustees decided that they should continue to apply the original £270 to the distribution of clothing to the poor at Christmas, and that the remaining £700 should be devoted to educational purposes. Sixteen senior scholarships were accordingly founded. One-half were applicable to boys educated, in the first instance, in the elementary schools of Leeds; but there was no indication as to how the remainder, representing a sum of £320, were to be applied. They were, accordingly, open to all boys who might choose to compete for them. In addition, there were 16 junior scholarships, open partly to boys educated at the elementary schools of Leeds, partly to all other natives of Leeds; and a University exhibition, also confined, in the first instance, to boys educated for a certain number of years in the elementary schools of Leeds. The 30th section of the Endowed Schools Act of 1869 provided that where doles had been applied to educational purposes regard should be had, in the first instance, to the class of life of those who had been accustomed to receive the doles or—and the "or" here was of importance — to the area from which they came. Now, the Trustees thought that in laying down this scheme they were acting with considerable liberality and with full regard to the class of life of those who had been accustomed to receive the doles. It was rather insinuated in some quarters that the Governors of the school—who, he might say, were no less anxious to promote the cause of education than his hon. Friend—had laid down a standard of examination so high as to prevent children educated in the elementary schools from obtaining the scholarships. Well, the scheme had been in operation about a year and a-half; and the House would probably be interested to know that, according to the head master's report, 14 of the boys from the elementary schools had sent up the best Latin. That, surely, showed that the boys of the elementary schools were perfectly able to take care of themselves, and that the standard of examination was not so high as to debar them from the scholarships. The hon. Member objected to £320 of the £700 being applicable to others than the particular class receiving the doles. But everyone connected with large towns knew that there was a section of the middle class who were in quite as much need of assistance in the matter of education as the lower classes—poor clergymen, for instance, and poor shopkeepers — who had a great struggle for existence. These were not the people who received or accepted doles; but no one could deny that their children had as much claim to assistance as the children of artizans themselves. He had lived in Leeds for many years, and he could certainly say that no class more needed help than the lower middle class there. The hon. Member objected to the Grammar School because of its fees; but those fees were in consideration of education given in addition to the education of the foundation. With regard to the 16 senior fellowships, he rather agreed with the hon. Member in thinking that they should all be limited to natives of Leeds, seeing that the fund was originally intended for the poor of Leeds. He believed the Trustees would agree to make that alteration in the scheme, so as to bring it into harmony with the section. They were all gentlemen connected with Leeds, and who had long lived there; and he could say for them, as he could for himself, that there were none more anxious to promote education in the town. As soon as the state of the funds would allow them, they would willingly take into consideration the case of girls also; but at present there was no girls' school at Leeds to which scholarships could be granted. There was a body called the Leeds Educational Council which, in the course of last year, did offer four or five scholarships for girls, and a certain number of girls came up for examination; but he was sorry to say not one of them reached the required standard. That was a misfortune, however, which he hoped the girls by-and-bye would remedy; and he was quite sure there was no body more anxious for their improvement than the Trustees.

Mr. W. Beckett-Denison]

MR. STANSFELD fully acknowledged that the Trustees had throughout been actuated by the best motives; but, at the same time, he thought the hon. Member for Leeds (Mr. Barran) had made out a case to which there was no reply. As to the funds of the old trust, although there were no records as to the purposes for which they were originally intended, they might be regarded from usage as being applicable to the poor of Leeds, without distinction of sex. The Trustees had prepared a scheme, by which they declared it, in their opinion, to be advisable that the system of doles should in part cease; and by which they proposed to apply some £700—by far the larger portion of the trust—to the advancement of education. Now, it seemed to him the money expended for education ought to be expended for the use and enjoyment of the class of persons who had from time immemorial been receiving the benefit of the doles. A system of educational endowment was unquestionably superior to a system of doles, and to that extent the scheme of the Trustees was commendable; but the question was, whether the fund might not be still better and more equitably administered in view of its original objects? His own opinion was that it ought to be devoted to the poor, regardless of sex. Now, the last speaker had not attempted to deny that about one-half of the £700 was to be applied to scholarships for which children of all classes, but only of one sex, were allowed to compete; so that the fund was not applied to educational purposes for the benefit of the class for which it was originally intended. The question was not merely one of justice but one of law. He entirely dissented from the hon. Member's reading of the 30th section, that the Trustees might apply the whole or larger part of the fund for the educational benefit of persons within the locality of Leeds, and that they might entirely ignore the educational interests of persons of the class which had been benefited by the immemorial distribution of that fund. The hon. Member had held out two promises. In the first place, he proposed to confine the scholarships to residents in Leeds. Well, that was not a promise of any value. What he (Mr. Stansfeld) and his hon. Friend (Mr. Barran) cared for was that they should be confined and appropriated to the class for which they were originally intended—namely, to the poor of Leeds, regardless of sex. The hon. Member had promised, in the second place, that as soon as the state of their funds permitted it, the Trustees would do something for girls. He (Mr. Stansfeld) did not know what value could be attached to that promise; but he had been given to understand that the estate had arrived at its maximum value, and that there was no probability of any considerable increase to come. In that case, the promise could not be of much value. He could not admit, under these circumstances, that the Trustees, whatever their motives or intentions might have been, had, in the words of the 30th section, paid "due regard"—which ought to be interpreted as "full regard"—to the interests of those for whose benefit the trust was intended; and he, for one, would support the Motion.

MR. WHEELHOUSE pointed out that what had been done in this matter was a voluntary effort on the part of the Trustees of the Leeds Poors Estate, which was the only estate that the House was dealing with at this moment. There had been a voluntary effort on the part of the Trustees to lay before Parliament a scheme which should have the advantage of being of some use, especially to the classes for whom the charity was originally intended. Supposing the plan were rejected to-night, it would simply have to go back to the Trustees; and the House did not know whether they would present any other scheme for the acceptance of Parliament. That was the position in which the matter now stood. He differed from the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) about the mischievous effect of these doles. They were told that the poorer classes were not sufficiently looked after in this particular scheme; but he thought the hon. Gentleman who said that entertained something like a desire to ignore the old-fashioned element of doles, and the advantages they conferred on the poor. He (Mr. Wheelhouse) confessed he was not one of those who considered doles to be mischievous. On the contrary, he thought they had been of great use in times past, and he trusted that no proceeding on the part of the House would ever be supposed to shut the door against the granting or bequest of doles if the donor thought fit to give them. There ought to be no mistake between the two sides of the House as to the issue now raised. This opposition came from the Dissenting element of Leeds. ["No!"] He knew that that was the truth, and he was anxious that the House should know it. The Grammar School and the Leeds Trust, which had to apply this particular dole, had hitherto been—as he trusted it would be for years to come—in the hands of persons who were attached to the Established Church. He was as anxious as anyone could be for the education of the girls; but as far as this plan was concerned, there was no recognized educational institution which would be sufficient for the education of girls in the circumstances in which girls were now placed in Leeds. He was rather surprised to hear the right hon. Member for Halifax assert that the Trust Estate might have already reached its maximum value. Why, the estate had been increasing in value for many years; and to suppose that it would stop at its present value was the idlest idea in the world. Possibly there might be a chance hereafter of the girls of Leeds having an incorporated school of some kind or other; and when the estate had still further increased in value a new scheme might be formed in case such a course were deemed necessary. An attempt had been made to throw discredit on the scheme because it was supposed not to be in favour of the poor. He asserted, however, that from beginning to end it was, practically, a "poor" scheme. It was, of course, an educational scheme as distinguished from a dole scheme; but that it was a poor scheme, no one who took the trouble to read it through could deny for a moment. The House had been told, somewhat artistically, in the first instance, that the main object of the scheme was to provide something for the upper classes. In point of fact, the scheme proposed that 16 senior scholarships should be awarded, four in each year, and each of the yearly value of £20, and tenable for four years. These scholarships were to be competed for, in the first instance, by boys who had for not less than three consecutive years attended some public elementary school in the town of Leeds. Did this mean that the scholarships were intended for boys of the higher class? He apprehended that it did not. If we took the term applicable some time ago to the Education Act, passed under the auspices of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), public elementary schools meant schools for children who were supposed to be collected in some measure from the streets and brought in for education. Therefore, it was obvious that the scheme was not intended for the higher class of boys. The next part of the scheme provided that 16 junior open scholarships should be awarded, four in each year, and each of the yearly value of £10 10*s*., tenable for four years. These scholarships were to be competed for, in the first instance, by boys who were natives of Leeds, or of persons residing there, or by boys residing in Leeds with persons who stood towards them *in loco parentium*. Surely there could be but one opinion that every boy in Leeds under 16 years of age, whatever might be his status, could come in and compete for these scholarships. It was possible that a boy belonging to a higher class in life might have had a better preliminary education than a boy who came in from a board school; but he maintained that the language of the scheme implied that all the boys in Leeds were placed, so far as they could be placed, in exactly the same position, whatever their previous rank might have been. The scheme could not convert a peasant boy into the son of a Peer. That was, of course, impossible, and they must take the impossibilities of this world with the possibilities, instead of talking nonsense about them.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. WHEELHOUSE observed that under the scheme eight junior scholarships were to be awarded, four in each year, and each of the annual value of £20, tenable for two years. Those scholarships were to be competed for, in the first instance, by boys who had for not less than three consecutive years attended some public elementary school, or schools in the borough of Leeds, and who had passed the examination of Her Majesty's Inspectors of Schools in the highest standard for the time being recognized by the regulations of the Education Department for the examination of pupil teachers. Was there anything that could be more fairly laid down for the poor of the borough of Leeds? Those scholarships were to be, in the first instance, for the benefit of those natives of Leeds who from their antecedent education might be assumed to belong to the very poorest class in the borough. Another proposition in the scheme laid down was that no boy should hold more than one of the said scholarships at the same time, and that provision, he thought, would be deemed equitable and reasonable by hon. Members on both sides of the House. In order to complete the scheme, there was a provision for an exhibition of the annual value of £50, tenable for four years, at some University in the United Kingdom. That provision, it should be observed, was not confined to Oxford, Cambridge, and Durham; but left the choice open to the London University and to Dissenting Colleges, as well as to Universities which were attached, more or less, to the Church of England. In that case, likewise, a preference was actually given to the children of the poor. He did not know what the Public Elementary Education Act was intended to do, unless it was to provide for the education of the very class of children who would be primarily benefited by that provision. Such were the propositions which the Governors laid down, and again he must call the attention of the House to the fact that this scheme was voluntarily propounded by the Trustees. They had laid it on the Table to be accepted or rejected, as the House might think fit. If the House chose that night to reject it, the chances were that no such scheme would be proposed for many a long year to come. For his own part, he was not anxious that anything should interfere with the present system of doles to any unnecessary extent. He did not entertain the now utilitarian notions which some persons held with regard to them. His idea was that the wishes of the "pious founder" ought, under all circumstances, to be complied with, as far as was practicable; and he considered that there had frequently been, both in the House of Commons and elsewhere, an ignoring of the intentions of the "pious founder" in favour of some new-fangled ideas, which he would have been the first to repudiate. He hoped that in the future they would have less of this kind of legislation. For these reasons, he supported the present scheme most cordially, leaving to future times, when the fund should have increased, the task of providing for the education of the girls of Leeds.

MR. W. E. FORSTER said, he did not remember either this scheme or any other scheme from Leeds coming before him when he was connected with the Education Department. Most certainly this scheme could not have come officially under his notice; and, indeed, he had no recollection of seeing anything in regard to the scheme until it was brought before him within the last few weeks. It was quite true that the House was not in the same position with respect to this scheme as it would be in the case of a scheme for an endowed school. As regarded the latter, legislation was compulsory; whereas, in regard to this scheme, legislation was, to some extent, voluntary. His hon. and learned Friend opposite (Mr. Wheelhouse) ought not, however, to dwell too strongly on this circumstance; because, if he did so, he would not be supported by his own constituents. He regretted to hear his hon. and learned Friend threaten the House — for it really amounted to a threat—that if they did not accept the scheme as it was brought forward, the funds should still be devoted to the old system of doles, whether that system were good or bad. He knew something about Leeds, and he knew that the educational feeling there was very strong. That feeling was not confined to one class or party; and he was quite sure that if the House were to come to the conclusion that this was not the best scheme which could be produced, the Trustees of the Grammar School, who were also the Trustees of the Poors Estate, would not think of acting like the dog in the manger, and saying that nothing could be done. They could not follow the advice of his hon. and learned Friend who had just spoken; and if they did so, they would have the public opinion of Leeds against them, and they would greatly injure the successful Grammar School of which they were the Trustees. He was sorry that the House should have to debate the scheme, and for this reason—Leeds stood very high for its educational activity, and he regretted that there should be a dispute in that House in regard to any educational proposal emanating from Leeds. The House was placed in this position without blame being attributable to the Trustees or to anybody else. If the Trustees had to frame a scheme for Leeds with the full knowledge that there existed the greatest earnestness and desire on the part of the working classes to gain the advantages of education, he thought a better scheme would be presented;

and he confessed that, in his belief, it would conduce greatly to the interests of Leeds education and of the Grammar School if the present scheme were sent back for re-consideration with a view to another scheme being presented to the House next year. There were two or three points to which, he thought, the Trustees would agree. In the first place, he believed they would feel that it was undesirable to pledge the scheme to £270 a-year for loans. Again, if they were not prepared to do something for the education of girls at the present moment, he thought they would leave in the scheme a power of dealing with this subject at some future time. In his opinion, the scheme, though, no doubt, quite unintentionally, infringed the provisions of the Act of Parliament. The 30th section of the Endowed Schools Act said that certain endowments might be applied to educational purposes. There was a Proviso that in any scheme relating to such endowment due regard should be had to the educational requirements of the same class of persons who enjoyed the benefits of the original charity, or of persons residing in the same locality. His contention was that the word "or" was never intended to apply to such a case as was now under the consideration of the House. This scheme, however, did neither one thing nor the other. Of the 16 senior scholarships, one-half were to be given to boys who had attended public elementary schools in Leeds; but the other half might be given to boys outside, not only of those schools, but of the borough of Leeds. He was surprised at what had fallen from his hon. and learned Friend (Mr. Wheelhouse) concerning the 16 junior open scholarships. His hon. and learned Friend spoke in favour of giving to the poor gratuitous education. Well, here was an endowment which, for 200 years, had been devoted to the benefit of the poor, and yet his hon. Friend said one great recommendation of the scheme was, that certain scholarships were to be given to persons in any rank of life. That really was not the object of the charity, and he did not think it ought to be the result of the scheme. He would appeal to the gentlemen who were connected with the Grammar School. It had been a very successful school, but it ranked as a higher-grade school, and it was managed rather exclusively. In fact, the school was upon what might be called its good behaviour, and it would be a most graceful act if the Trustees made use of the whole of this fund to meet a great educational want at Leeds. He had been alluded to as having been Chairman of the Educational Council at Leeds. That he felt to be a high honour, and it had brought him into personal contact with the educational activity of the borough. One very great want was a ladder from the public elementary schools to the Universities. There were not very many boys, in proportion to the whole population, to whom it was desirable to give a high-class education; but, still, there were some, and in a population of 300,000 there would be a good many; and he believed that Leeds, though before other towns in educational matters, did not possess as many academical exhibitions as other towns. The Trustees might have provided almost a sufficient number of exhibitions to meet the whole wants of the borough. He thought the House would confer a great benefit on the Grammar School by sending the scheme back for consideration; and he believed that in future years the Trustees would be glad to have been able to earn that estimation among their fellow-townsmen which it was desirable they should possess.

Viscount SANDON: I desire, in the first place, to express my regret to the hon. Member for Leeds (Mr. Barran) if he has been subjected to any inconvenience in moving in this matter by reason of my unavoidable absence from the House. I am glad, however, that he has to-night had an opportunity for a full discussion. In the observations which the hon. Member addressed to the House, he did not make any attack on the action of the Government in this matter. I noticed that circumstance with great satisfaction, because it relieves me from a considerable part of my task in answering him. This is one of a class of subjects—such as doles, apprenticeship fees, the relief of poor persons by means of loans, and so forth—which cannot be compulsorily dealt with by any Government Department, whether it be the Charity Commissioners or the Education Department. The power of dealing with these matters has been left absolutely in the hands of the Trustees of the endowments. Therefore, the Government has no option in the matter, and we have to accept, with gratitude, any scheme, if we really think it is a good one, which the Trustees bring before us. I will just state how this scheme came before the Government; and, first, I may remark that it is not for the Government to consider whether schemes of this kind are abstractedly the very best that could be presented, although, of course, we should be perfectly wrong in passing any scheme which we did not regard as a good and a sound one. When this scheme was brought before us it came from the Charity Commissioners, with a note saying that no opposition had been started to the scheme from the locality—a fact, in itself, of considerable importance. After a while memorials were presented to us on the subject. And here I beg to assure the hon. Member for Leeds that these memorials were not treated by us with the least disrespect. The usual acknowledgment of their receipt was sent; but I will tell the hon. Member how it was that we did not think it worth while to enter into an argument with the gentlemen who forwarded the memorials. We considered whether or not we ought to regard the scheme as being, in general terms, a good scheme, and we found that, when carefully examined, it assumed very noble proportions. There were funds in Leeds which had only of late been developed, and which, it was stated, could be applied to the dole purposes. We found that out of these funds it was proposed to make provision for 40 scholarships of different kinds for Leeds. Well, that, I venture to say, is a very noble scheme in itself. In addition to this, there was to be an exhibition to a University of £50 per annum. Seventeen of these endowments, which were of a considerable nature, were divided into different classes, but they were all open to the whole of Leeds. But 17 were tied up to the public elementary schools, with which we are principally connected in the Education Department, the others being open to the whole town of Leeds, and eight of them to outsiders. Therefore, we thought that we had before us a very noble plan for the advancement of the education of Leeds. We looked into the different provisions, and scanned the words with regard to the exhibitions and the public elementary scholars; and we were assured by the Endowed Schools Commissioners that the scheme, in the first instance, tied the exhibitions, as far as they could be tied, to that particular class. If, as the hon. Member supposes might be the case, the Trustees were to endeavour to establish a preliminary prohibitive examination, the Commissioners would at once interfere and put a stop to any such unjustifiable prohibition. As I say, we considered the scheme to be generally a good one. We saw that it would be open to all the boys of Leeds, without question of religious denomination, an opportunity of deriving educational advantage from these noble endowments. We also thought it wise to look as to the precedents relating to the action of former Governments in matters of this kind. We found that during the time when my two right hon. Friends were responsible for the conduct of this Department of the Government, it had been the habit of the Education Department to allot this sort of dole endowments not entirely to the class of people who had been accustomed to receive the doles. It was the custom to divide the endowments between the middle classes and the poorer classes who used to receive the doles. For example, there was the case of Chesterfield. At Ilkley, again, the charity consisted of doles, but the money was applied to the Grammar School, pure and simple. Then we found the famous case of Wigan, where £6,000 odd were applied to the Grammar School, and about two-thirds were given to boys in elementary schools. Again, at Stamford, large sums were taken away from the poor to whom they formerly belonged. In fact, we found that in the present instance the Commissioners had been following exactly the precedent which had been established for a very long time previously. We felt satisfied that the scheme itself was a very useful and a very noble one; and one, moreover, which followed on the lines sanctioned by our Predecessors. After receiving the memorials against the scheme, a letter was sent to us by the Chairman of the Board of Trustees. It stated that it was the deliberate and unanimous determination of the Trustees to refuse their assent to any radical change or modification in the scheme, which had been the result of many years' consideration. The subject, it was said, had been fully discussed in the town during the last few years, and yet no disapproval of the scheme had been expressed until within the last few weeks. At the same time, the Chairman added that the Board would be willing to consider the question of the educational interests of the girls when the income of the estate should have increased. With regard to the girls, I may mention that the inhabitants of Leeds, who memorialized us on the subject, withdrew their memorial because they were afraid of imperilling the scheme. The Lord President of the Council and myself had to consider whether or not, by stopping the scheme, we should be justified in imperilling so great a gain to the town. We were told categorically by the Trustees that they would not change the scheme at all, and we thought we were not justified in preventing so great a change. I think the House will agree that the position we took up was a proper one. Whether the scheme was the very best that could be devised I do not say; but considering the danger there was of losing this noble scheme, I think the House will be of opinion that we did right in passing it. There is a special clause at the end of the scheme, making provision for any alterations which may be hereafter thought necessary. The Charity Commissioners may, in their ordinary jurisdiction, provide such alterations as are not inconsistent with the Endowed Schools Act. This will not require the action of the Education Department; and I hope that if, after mature consideration, the Trustees think it desirable to make a change, they will not hesitate to approach the Commissioners for the purpose.

Mr. COURTNEY said, the speech of the noble Viscount conveyed to his mind the idea that the Government were not very fond of this scheme. Any scheme in reference to this subject must be originated by the Trustees. Now, it was quite true that the noble Viscount characterized this as a noble scheme; but that admission must be taken in connection with the letter from the Trustees, saying that they had made up their minds not to alter it. This must suggest that the Government had sent a communication to the Trustees expressing some dissatisfaction with the scheme. Surely in a scheme of this kind, some attention ought to be paid to the case of the girls. The original charity was devoted to both sexes; whereas, in this scheme, no provision whatever was made for the education of girls. The University examinations were held at Leeds, and exhibitions might have been given to girls educated there. He trusted the House would pay no attention to the threat of the hon. and learned Member opposite (Mr. Wheelhouse). If the House were dissatisfied with the scheme, he believed the Trustees would try to make it more in accordance with the views which had been expressed that night.

Question put.

The House *divided*:—Ayes 55; Noes 101: Majority 46.—(Div. List, No. 60.)

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

(1.) *Resolved*, That, towards making good the Supply granted to Her Majesty for the service of the years ending on the 31st day of March, 1877 and 1878, the sum of £1,537,047 6*s.* 5*d.* be granted out of the Consolidated Fund of the United Kingdom.

(2.) *Resolved*, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1879, the sum of £12,000,000 be granted out of the Consolidated Fund of the United Kingdom.

Resolutions to be reported *To-morrow;*

Committee to sit again *To-morrow*.

FRESHWATER FISH PROTECTION BILL.

On Motion of Mr. Mundella, Bill for the Protection of Freshwater Fish, *ordered* to be brought in by Mr. Mundella, Mr. James Duff, Mr. Michael Bass, and Mr. Spencer Stanhope.

Bill *presented*, and read the first time. [Bill 131.]

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Wednesday, 20*th March*, 1878.

MINUTES.]—New Member Sworn—William Stephen Gore Langton, esquire, for the Mid Division of the County of Somerset.

Select Committee—Poor Law Guardians, &c., *nominated.*

Supply — *considered in Committee — Resolutions* [March 19] *reported.*

Ways and Means—*considered in Committee—Resolutions* [March 19] *reported.*

PUBLIC BILLS—*Ordered—First Reading*—Consolidated Fund (No. 2) *.
Second Reading—Tenants Improvements (Ireland) [13], *put off;* Money Laws (Ireland) [56], *debate adjourned.*
Committee—Report—Threshing Machines * [97].

ORDERS OF THE DAY.

TENANTS IMPROVEMENTS (IRELAND) BILL.—[BILL 13.]

(*Mr. Patrick Martin, Major Nolan, Mr. O'Clery, Mr. Fay.*)

SECOND READING.

Order for Second Reading read.

MR. P. MARTIN, in moving that the Bill be now read a second time, said, its object was to amend the laws relating to small tenements and fixtures in towns in Ireland, and thus give encouragement to tenants to build and improve their houses in towns and villages, by granting to them compensation when the holdings were under £50, after the same rate as enacted by the Legislature in the Land Act of 1870. By the Bill it was provided that the right to compensate should be subject to the limitations and restrictions imposed by the Act of 1870—namely, that improvements entitling the tenant to claim compensation should be permanent improvements of the landlord's estate, the period during which the tenant had enjoyed them being held to diminish the rate of compensation; while for improvements effected under contract, and where the tenant had derived certain benefits, such as an abatement of rent, the claim should be barred. The Bill also proposed to amend the law with reference to fixtures, and to assimilate it to that of England, conferring on the tenant the same right to fixtures and the same facilities for their removal as was conferred on English tenants by the Agricultural Holdings Act of 1875. He regretted that the 53rd section of that Act was not extended to Ireland, and in order to remedy the grievance in Ireland, he had in Clause 4 of the Bill adopted the very words of Section 53 of the English Act. He did not propose to enter on any general discussion of the law of Ireland with respect to landlord and tenant. He only claimed that the Irish tenants in the small towns and villages should be entitled to that compensation which, on every principle of common honesty and justice, they ought to reserve for *bonâ fide* improvements, adding to the value of the landlord's estate. As to the history of this question, he found that as far back as 1852, in a Bill of the late Mr. Napier, afterwards Lord Chancellor of Ireland, and then Attorney General for Ireland, the right of the tenant to compensation for such improvements as those with which he now proposed to deal had been recognized, and the same principle was conceded by successive Governments from both sides of the House. This being so, he was surprised, for the first time, to find that only the day before yesterday that Notice of opposition had been given to his Bill. There was no contest during the passage of the Act of 1870 on the principle of the agricultural tenants' right to compensation for improvements, and he asked on what principle could the same right be refused to the tenants of holdings in the small towns and villages, whose energy in making these improvements was especially manifested in the North of Ireland. There was nothing better marked than the fact that the Ulster tenant-right custom was conferred on the owners of town plots in many of the small towns and villages—the right possessed by the tenants of the agricultural holdings—and he asked whether it was right that they should be excluded by the 1st section of the Act of 1870 from the legislation thereby given to that custom? The hon. Member for Limerick had stated that the custom was not confined to holdings which were agricultural or pastoral in their character; it was perchance better marked in the cases of holdings in many of the Ulster towns in which the largest sums of money had been expended on the estates. In Mr. Donnell's book it was said that this custom was over and over again proved by unimpeachable witnesses to exist in these towns in Ulster. Mr. Donnell said—

> "It is from this very fact that this expenditure, first made by the tenant, is recognized by the landlord, that we find a better class of habitations in the villages and rural districts of Ulster than we see in the Southern and Western parts of Ireland."

It had been shown over and over again in the evidence of Poor Law Inspectors and others, that the expenditure of the tenants was not confined to the agricultural holdings, but that it was also made on the holdings in the different towns and villages. He could give, from his own experience, many cases of severe hardship where those improvements had been made; but he preferred to deal with the facts upon the authority of the Reports presented to that House and upon the authority of gentlemen of position who had no interest in the matter. He would, therefore, refer to the working of the system adopted on Lord Portsmouth's estates at Enniscorthy, as described in the report of Mr. Robinson in the year 1870. It was conceded that in 1822 Enniscorthy was little better than a village of mud hovels, enjoying no particular advantages as to markets or otherwise; but when Mr. Robinson's report was presented, it was a town with well-slated houses and good markets, and in as flourishing a condition as any similarly-sized town in Ireland. The agent told Mr. Robinson that before he took the management, the rule had unfortunately been not to recognize the right of the tenants to buildings they put up, and when the short leases expired, the tenants who had built, or their representatives, were not always regarded as having claims to new leases. But the rule was altered. All buildings on those town plots were regarded as the property of the tenants on the expiration of leases, and new leases were granted. It was the observance of this rule that had created the change he had described in Enniscorthy. With this striking instance before the House, could it be said that the Irish tenants lacked energy? Probably no part of Ireland had participated more largely in the disturbances that had characterized the close of the last century. It was from thence that the first symptoms of serious disaffection had spread, and yet the result of the simple change made by Lord Portsmouth had been what he had just described. He contended, therefore, that it could not be said that tenants in Ireland would not improve their holdings if they had sufficient security for so doing; and further, that other towns and villages in that country would be improved as Enniscorthy had been if that security were afforded them. Such a security would bring about a new Ireland. The Report of the Irish Church Commissioners showed how much tenants desired to improve their properties, and he trusted that during the debate on this Bill they would not hear that Irish tenants were not inclined to make improvements; for only let there be a just system of the character proposed established, a certainty that tenants would have security for all *bonâ fide* improvements made by their capital and skill, and there would be a vast change in the aspect of Ireland. Under this Bill no claim would be recognized if the improvements were not *bonâ fide*, and added to the letting value of the landlord's estate. It was only the day before yesterday that an objection to the Bill was entered in the Notice Book. It might, perhaps, be said that there was no necessity for this Bill in Ireland, and also that it was an exceptional measure. What, however, had the House been doing for years past, but to agree to exceptional legislation in regard to the land of Ireland; and there was no finality to that question. He almost felt ashamed to be obliged to answer objections to the Bill on the ground that it was an exceptional one. One half of the land in Ireland was in the hands of absentee proprietors—that was to say, landlords who were not habitual residents in Ireland. The evils of that system were shown in the Report of the Devon Commission, and they existed at that moment. But these were not the case of absentee proprietors only. Property was changing hands in that country, and it got into the hands of small proprietors, who bought it on speculation and for gain, and the condition of Ireland showed what was the result. Let them look at the Mitchelstown case, and there were others of the same sort. Investments of English capital in land in Ireland had been far from a boon to the people of that country. He could say that he represented a county in which there were many landed proprietors, between whom and their tenants the very best feelings prevailed; but even in such cases there ought to be some legal protection given to the tenants—their improvements should not be left to the moral sanction of landlords. It was, however, to prevent cases of injustice that the Bill had been framed. He could state that there was a class of landlords in Ireland who did not deal fairly with their tenants; and why, he would ask, should tenants be left to the caprice and uncontrolled discretion of any landlord? That such landlords existed was notorious, and they had been referred to by the historian of *The Eng-*

lish in Ireland, who, after a residence in Ireland, said that many of the landlords were aliens in blood and religion; they represented confiscation, and, from generation to generation, had shown an indifference to the welfare of the people, which would not have been tolerated for one moment in England or Scotland. Mr. Gladstone's Act was, perhaps, the only good measure which had been passed for more than 200 years. It had been called confiscation, but it took nothing to which landlords had any equitable or reasonable right. The selling value of the land had not decreased since that Act; on the contrary, it had increased. He called upon the House not to reject this Bill, but rather to persevere in the course which had been so happily inaugurated by the right hon. Member for Greenwich; and, so acting, they might be assured, by the concession of just rights to the tenantry, a new Ireland would spring up in the towns and villages, and from being mere mud hovels, would have, like England, well-built, slated, and comfortable houses. He begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Patrick Martin.*)

MR. BRUEN, in moving that the Bill be read a second time that day six months, said, he would not comment upon the motives of those who had promoted this Bill, as he did not desire to say anything personally offensive to any of them; but he confessed he was not a little surprised at the description which had been given of the Bill by a Gentleman of the ability and moderation of the hon. and learned Member who had introduced it. The Bill was practically of two clauses—one extended some provisions of the Act of 1870, and the other dealt with fixtures; the one might be said to be original, and the other not necessary. The Preamble of the Bill said that the tenants of agricultural and pastoral holdings could obtain compensation, and therefore some encouragement should be given to tenants to make improvements on town lands. At first sight, it seemed that the object might be gained by extending the 4th section of the Land Act of 1870, as that would appear to cover every holding in Ireland, and to give compensation to those who could claim under the provisions of the Act; but that Act excluded all improvements made to property in towns or villages, or, in other words, improvements of buildings merely. This Bill, if agreed to, would simply authorize an extension of the Ulster custom to every holding in Ireland under £50, and it appeared to him that the promoters of the Bill had intended doing that covertly, and without any intimation that they intended to extend that custom to every holding in Ireland. The hon. and learned Member had told the House that there were landlords in Ireland who took every advantage of improvements made by their tenants; but the Land Act of 1870 vested the improvements in the tenants, and gave them compensation if disturbed, and that legislation had been supported by the landlords. He contended that the landlords of Ireland as a body acted with great justice towards their tenants. It was said that no less than £70,000,000 worth of property was transferred by the Land Act of 1870 from the landlords to their tenants, and the cases before the Courts showed that the landlords had not shown a desire to take advantage of their tenants. The cases of improvement of buildings in towns in Ireland were entirely different from improvements in the country. There was no doubt that tenants in the country had made many great improvements upon their holdings. There was no evidence to show that improvements had been made in towns and villages. No such proof had ever been offered to the House. No doubt Enniscorthy had been referred to; but the improvements there were attributable to very different causes than the peculiar relations between Lord Portsmouth and his tenantry. They were occasioned in no slight degree by the termination of the disturbances in 1822, which had devastated that part of Ireland, and the development of industry which followed the restoration of peace. People would not build houses on a tenure of a short and uncertain character, unless they received proper compensation before or after building; and when a tenant laid out money, he usually had the security of a long lease that he would gain the benefit of his investment. The fact that many towns did not improve was due to the fact that property in them was not valuable; it did not let well, there being no competition for it, as there was for a holding in the country, and the tenant was as much master of the situation in the town as the landlord was in the country. Therefore, the usual practice in a town was that the landlord made such improvements as were made, unless he gave the tenant a long lease, and on that account such a clause as that in this Bill would be most unjust in its operation. Existing arrangements had been made, with the mutual knowledge that the law gave the landlord the buildings as they stood on the lapse of the lease, and, therefore, no injustice was done. If this Bill were passed, a tenant would be able to set up a claim to which the landlord would have no answer, in the absence of a written agreement, which hitherto had not been necessary. To pass a clause of this kind would be as unjust as it would be to deprive the tenant in the country of the value of the improvement effected by him upon his landlord's property. The limit of £50 would cover nearly all the houses in the country towns of Ireland. The extension of tenant-right to all holdings in towns in Ireland over the value of £50 would practically involve something like a revolution, and he thought the House was hardly prepared to assent to it; for, though the Act of 1870 legalized a custom, it legalized it only where it existed; but this Bill would impose upon three-fourths of Ireland a custom which had not been acted upon. The effect could be realized by imagining the result if such a measure was applied to half-a-dozen English counties. Similar objections applied to the clause affecting fixtures, which, even if it would be useful, ran counter to the common understanding subject to the technical law on the subject. In these circumstances, he trusted that the Bill would be rejected. He would conclude by moving the rejection of the Bill.

Mr. KING-HARMAN in seconding the Motion for the rejection of the Bill, said, the hon. and learned Member for Kilkenny (Mr. P. Martin), stated that the object of the Bill was to encourage improvements in dwelling-houses in towns and villages throughout Ireland; and if it had been shown that it would act in such a way, he, for one, would have been glad to have given it his support. But from the examination which he had made of the Bill, he should say that it would have exactly the contrary effect. He could not for a moment imagine that any builder would lay out capital in erecting houses of which, if he found his tenants were not desirable people, he would have no power to turn them out. If this Ulster tenant-right Motion was established throughout the country, a landlord who had a tenant who became bankrupt often wished to get rid of him and could not do so. He maintained, therefore, that the passing of such a Bill as this would put an entire stop to speculative building throughout Ireland. The hon. and learned Member who introduced this Bill (Mr. P. Martin), spoke very strongly of the strong evils which were in past days inflicted upon tenants in Ireland; but all those injuries were inflicted upon the holders of land, and it had not at all been shown that holders of houses suffered from them. He maintained that it was in the interests of the tenants, as of the landlords, to improve the property. If the hon. and learned Member could show that the town tenantry in Ireland were oppressed and discouraged from laying out their money in improvements, he should vote for the Bill most heartily; but he regarded it as one of those Bills which were so frequently showered on the House without due consideration, and it was only wasting the time of the House to discuss it.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Bruen.*)

Question proposed, "That the word 'now' stand part of the Question."

Major NOLAN said, that a great deal of interest was taken in the Bill in Ireland, and whether it was a good measure or a bad one, it undoubtedly dealt with a large amount of property in Ireland, and would affect a large portion of the urban population; therefore, he hoped its discussion would not be deemed a waste of time. The Bill had not been introduced thoughtlessly, and he knew that it received large outside support. There seemed to be, to some extent, misunderstanding about its object. The intention of the measure was simply to extend the important clauses of the Land Act to the towns in Ireland, and more especially the small country towns. That was the governing idea of the Bill, and not the extension of the Ulster tenant-right custom to the whole of Ireland. He was anxious to disclaim that compensation was to be given for disturbance. The only intention of the Bill was to give compensation for *bonâ fide* improvements which added to the letting value. He had reason to believe that the Bill had not been badly drafted, but hoped they would not go into that question to-day. It was a very common manœuvre in the House of Commons to find fault with the drafting of a measure, even if its principle was a good one. That point, however, was not of much consequence, because all defects could be altered in Committee or upon Report being taken. He could assure the hon. Member for Carlow (Mr. Bruen), that there were a great many people who thought when there was no provision in the contract, if improvements were made by the tenant he ought to get compensation for them. That was the whole question, and those who held that opinion were not unsupported in their views. Mr. Hancock, a great authority, went fully into this question in a paper which he read at the Statistical Society of Ireland in 1875, in which he pointed out that there was an ancient provision in the Scotch law, giving compensation to tenants for improvements, and that the want of a similar provision in the Irish law was well known. Mr. Hancock went on to state that the case had been met to some extent in England and Ireland by the Artizans and Labourers Dwellings Act of 1868, which provided that in case of doubtful title, the expenditure for improving property should be secured to the tenant; but that was limited to the single case of artizans and labourers' dwellings. The opinion of Mr. Hancock carried with it some authority, and this was strongly in favour of a change in the direction indicated by the Bill. It was probable that the promoters of the Bill had in their minds the position of the tenants in many of the small towns of Ireland. In these towns it was a common case to find that the landlords were timid and unenterprizing, not caring to make any outlay, although the risk might be small. That being so, any improvements must be made by the tenant, and this Bill was to secure the tenant, when he filled up the landlord's place by doing the duty which naturally should devolve upon the landlord. Supposing the tenant should wish to increase the value of the property, under the Bill he would be enabled to do so without having to consult the landlord, to consult a lawyer, and to draw up a document for the landlord. He might improve the holding, and when the time came for the landlord to take up the holding he would do so, repaying the tenant the increased value, which would be fixed by the Chairman of Sessions. In this way it was difficult to see what injury there would be to the landlord. Improvements in these small towns were easily inspected, and their value readily ascertained. A case had been put, from a landlord's point of view, where the owner of a terrace of houses might have the appearance of his property damaged and the value depreciated by the addition of a house, although the particular house might be improved. But in the small towns of Ireland there were very few such symmetrical rows of houses to be met with, and even such a case might be met by the legal notice which the landlord might have served. All that the Bill was intended to do was to meet those cases where the landlord would not interfere in any way, and to give the tenant a fair chance of recovering a portion of the money invested in his holding. Some exception had been taken to the clause in reference to fixtures; but, whatever might be the technical objections to the drawing up of the clause, it certainly could not be directed against the principle of the Bill. The fixture clause was a side issue, upon which the enlightened opinion of professional Gentlemen in the House of Commons was invited, and the promoters were quite willing to accept any emendation to that clause which would benefit the tenant, while not interfering with the just rights of the landlord. The security which was given under the Land Act for investments in land had a tendency to divert capital from houses, and corresponding security was necessary to restore the balance. As it was practically impossible to secure freehold lands in towns, they were all the more prejudiced by the want of security for tenants. If some security were introduced into the town holdings, and the difficulties for the transfer of house property removed, more money would be invested in the towns, and an increase in trade would follow, for business increased business, and competition did no harm. The Bill would give to tenants in towns a greater hold upon their houses, would make them more independent in the assertion of municipal privileges, which would have a wholesome effect on the local management of the towns, and in that there was another strong argument in its favour.

Mr. MACARTNEY considered the 2nd clause of the Bill most objectionable. Everyone who knew anything about valuation in Ireland was aware that the agricultural value was much below the amount of the rent taken, and that in towns and holdings the actual value was very different from the rents taken. The estimated value of the holdings was not according to the rent, but according to the Government valuation, which varied from 20 to 50 per cent on the real value. With respect to the law of fixtures in Ireland, that was regulated by the Common Law, as in this country. The principle which this Bill sought to introduce was extraordinary, and if passed into law would inflict a great injustice on the owners of property in towns. He was one of those wished to see the Ulster custom carried out, but it was never intended to apply to towns. If they began by applying it to tenements of £50 and under, what was to prevent it being extended in a few years to any holding whatever? If hon. Members opposite wished to have this principle thoroughly discussed and inquired into, why did they not propose a Bill dealing with England and Scotland, as well as Ireland? He was sorry to hear the old charge of absenteeism made in the course of the debate. He denied that Irish landlords were more given to absenteeism than the English or Scotch landlords. Some of the best-managed estates in Ireland were held by English gentlemen, who had chosen gentlemen of high character to manage them. The hon. and gallant Member for Galway (Major Nolan) had intimated that he had no objection to throw over portions of the Bill; but it would much facilitate the discussion of the measure, if he could point out those portions of the measure which he was willing to abandon.

Mr. O'SULLIVAN said, he felt very great pleasure in supporting the Bill before the House, as he knew from experience it was a measure badly required in Ireland, to prevent the rapacious landlord from confiscating the property of the industrious tenant. He would repeat the specially industrious tenant; for in the case of improvements in country towns in Ireland, it was the very industrious tenant who made those improvements, and therefore these were the parties who required protection under the Bill before the House. When a landlord had land to let in the neighbourhood of a town, he generally got ten times more for the land than he would for any agricultural purposes. Then the tenant expended £200, £300, £400, or £500, as the case might be, in building and improving on that spot of ground. Was it not a monstrous state of things that in 30, 40, 50, or even 60 years, the owner of the ground could come in and confiscate the entire outlay of the tenant, without giving him or his successors 1*s.* compensation? If the town improved, the landlord might be entitled at the end of the term to an increased rent of his land; but it was a fearful state of things as it stood at present, that the landlord could confiscate all the property of the tenant. He might be met by hon. Members who would say there was no landlord would take advantage of the tenant by confiscating all the improvements. He admitted it was only the very bad landlord would do so, and he would further admit that the bad landlord was more the exception than the rule; but still there were bad landlords who committed those outrageous acts on tenants, and he knew landlords who did rob tenants out of their entire property. It was to prevent bad landlords from committing those outrages that this Bill was required, and to make them treat their tenants as the good landlords did. He did not mean for a moment, that because a tenant might live in a house in a city or a town for a considerable time at a low rent, that he should continue to do so; for if a man, or his father before him, expended his money in the erection of a house, it was quite right that he should have the benefit of that outlay; but what he meant was the spot of ground on which it was erected, and where the landlord never laid out 1*s.* in the improvements. He knew of a case in which a landlord would not grant a lease for a longer term than 21 years, and the consequence was that tenants would not lay out money on the improvement of their holdings, many of which were mere hovels. If a landlord gave a tenant a fair and reasonable term a great improvement would take place in the holdings in many towns in Ireland. He had 30 or 40 tenants in one place, some of whom had leases, whilst others had none; but when he saw a disposition towards improvements he granted leases for 999 years, and the result was a great improvement in the houses. The Bill would injure no one; it would serve the tenant in possession, and benefit the small towns, and therefore he should support it in all its stages.

MR. MULHOLLAND, in opposing the Bill, said: Although I share in the feeling of surprise expressed by the hon. Member for Carlow (Mr. Bruen), that any Member could be found to bring this Bill before the House, I do not think that it is altogether a matter for regret; for I think it desirable that it should be clearly understood to what extremes of legislation the Party from which it emanates are prepared to go. We have to come down here and meet almost weekly attacks directed against the very foundations of property in Ireland. Hitherto, these attacks have been generally directed against the land; but on this occasion, I think, for the first time, the war has been carried into towns, and the owners of house property are assailed. Now, I would wish to point out to the House the skilful manner in which this attack is conducted. The Bill brought in is not a Bill to declare straightforwardly what it professes to do, nor does it propose clauses to carry these principles directly into effect; but it is a Bill which suggests by its title the idea that it is dealing with interests analogous to the interests dealt with by the Land Act of 1870; and it still further suggests this idea by its adoption of some of the sections of that Act, although their proposed application is to something altogether dissimilar. The hon. Members who have brought this Bill forward knew well that they would not have had much chance of securing the attention of the House if they had brought in a Bill to compel the owners of ground rents in towns to purchase the houses that may have been built upon their land, or a Bill to make it the presumption that every house in a town had been created by the occupying tenant until the landlord had proved the contrary. Yet this is absolutely what this Bill proposes to do; and, as I have said, if hon. Members of the Liberal Party will only realize the nature of this proposal and learn what is the true tendency of these persistent revolutionary attacks upon the institutions of property, and upon, I may say, the foundations of society in Ireland, it will be a valuable result of the time occupied in discussing a proposal in itself too absurd to deserve serious discussion. Because I am satisfied that it is under a total misapprehension of the true facts that so many hon. Members opposite came down here on Wednesday afternoons—and, without having heard the discussion, or, perhaps, without having read the Bill, vote for the measures brought in by the Home Rule Party. Now, to show the utter absence of analogy between the interests touched by this Bill, and those comprehended under the legislation of 1870, I need only remind the House of the argument by which the Land Bill of that year was advocated by the right hon. Member for Greenwich (Mr. Gladstone). He said that he regretted the necessity of any interference with freedom of contract; but that there were, in his opinion, peculiar circumstances connected with the occupation and cultivation of land in Ireland, that justified peculiar legislation. He said he wished to interfere with freedom of contract as little as possible, and that he interfered with it in the case of small tenancies, only because, in the circumstances of Ireland, the tenant was not free; and he drew an emphatic distinction between special legislation as called for by distinctive circumstances peculiar to Ireland, and the demands for special legislation upon points in which the conditions of the two countries were similar. For instance, a demand for perpetuity of tenure, he said, was not an Irish land question, but a United Kingdom land question, and one not therefore to be discussed on a merely Irish Bill. Now, let us apply this principle to the present case. What is there in the case of Ireland that requires the question of property in town houses to be considered as an Irish question, and not a United Kingdom question? No one will assert that the supply of building land is so limited, or that the persons desirous of becoming tenants of building land are so numerous that they would not be free agents in a contract. But, if not, where is the argument for special interference? I do not think it necessary to discuss what might really be the real question—whether, as a general principle, it would be desirable or not desirable to interfere with freedom of contract, with respect to building leases of town houses; because that question does not really technically come before us. The question raised by this Bill is this—is there anything in the circumstances of Ireland, with respect to town houses, so peculiar as to require exceptional legislation on that subject for that country analogous to the exceptional legislation of 1870 on the subject of land? For this purpose it is, I consider, quite sufficient if I show that the analogy suggested by the Preamble between the present Bill and the Land Act exists in no point whatever. From the Preamble one might suppose that it had been an inadvertent omission in the Land Act not to include town houses and the other holdings specified in this Bill; but, so far from that being the case, they were carefully and expressly excluded. Indeed, the right hon. Member for Greenwich devoted considerable time, when introducing the Bill, to explain that no claim would lie under it in respect of improvements, when the so-called improvement was not suitable to agricultural pursuits. He said—

> "If the tenant chooses to lay out his money in making additions to his holding, which do add to the letting value, but which are not suitable for the purposes of agriculture, the landlord is not to be bound to pay for such an improvement, because it does not come within the proper scope of the tenancy. A case which has been mentioned to me, for instance, is that of a farm abutting on the seashore, on which the tenant chose to build a bathing-house. It is very probable that this bathing-house may add to the letting value of the farm, but evidently the tenant ought not to be entitled to payment for it as an improvement. That, undoubtedly, is not a sort of improvement which will come within the meaning of this Bill."—[3 *Hansard*, cxcix. 373-4.]

I think this is most important, as showing that what it is proposed to include in the present Bill was not omitted from the Act of 1870 accidentally; but was purposely and expressly excluded as being altogether outside of the scope and objects of the Act. In fact, the present Bill would not be an extension of the policy of the Act of 1870. It would be a complete reversal of it. The 2nd clause of the Preamble states that the enactments now proposed would encourage the improvement of dwelling-houses in towns and villages in Ireland. To my mind it would do exactly the reverse. In fact, if it were possible to imagine the enactment of so absurd a Bill, in a moment of insanity, I do not see how any houses would be built in Ireland. No landlord would willingly let land for building with a reversionary liability to purchase any building that might be created upon it, and no builder would build houses where the legal presumption would ever afterwards be, that the houses were the property of the occupying tenant and not of himself. And now, Sir, I come to the special enactments proposed; and I must say that they illustrate most clearly the inconvenience of the attempt to engraft a Bill applicable to the subject upon another Bill relating to objects totally dissimilar. The 4th section of the Land Act, which it is now proposed to apply to town houses, is a section which throughout is drawn with reference to agricultural holdings. The consequence is that if the Bill now before the House passed into law, and that section were declared to apply to town houses, we would be met throughout the entire section by difficulties and contradictions. In the first place, the improvements for which this clause legalizes the tenant's claim are defined to be—

> "Such improvements as are required for the suitable occupation of his holding, and its due cultivation."

Well, if the tenant of a town house were to bring an action against his landlord for the value of the holding, it, no doubt, might be argued that a town house was suitable for the occupation of his holding; but how about the "due cultivation thereof?" Again, the 4th clause of the Land Act requires that leases to evade claims for compensation, if made before the passing of the Act, must contain an express exclusion of such claims. Did anyone ever hear of a building lease which included such an express stipulation? Under that 4th section, a landlord may avoid claims for certain classes of improvements, by giving a lease for 31 years; but he cannot so evade the claims under this proposed Bill; because permanent buildings are expressly excluded from the benefits of that exception. Again, under the 4th section, any contract between landlord and tenant, whereby the tenant may be deprived of the right to claim for the value of the holdings he has erected, would be void both in law and equity. In this very strong clause there are excepted in the Land Act the very class of tenancies which it is now proposed to include, and the reason of these exceptions is obvious. So violent an interference with the freedom of contract was defended and carried on the ground that the tenant in Ireland, not being a free agent, might be forced to contract himself out of the right to be compensated for improvements necessary for the proper cultivation of the soil. But is there a shadow of basis for such a plea with respect to the case of a builder taking a lease of building land for the erection of town houses? Again, the 5th clause of the Land Act, which is indissolubly connected with the 4th clause, makes it the presumption, with certain exceptions, that all improvements have been made by the tenant. So much, Sir, for the 1st clause of this Bill, and it is really the only one that requires exposition. It contains the whole pith and marrow of the Bill. The others seem to have been copied from other Acts without much reference to their applicability. For instance, the 2nd clause provides that for the purposes of this Act, land shall be valued at the Government valuation; whereas the entire of the rest of the Bill refers to houses, and there has been no allusion whatever to land either in the Preamble or the clauses. I can only conjecture that as it is provided that this Bill is to be construed as one Act with the Land Act, this may be an attempt to introduce a clause applying the Government valuation to the original Act. If, Sir, this Bill had emanated from Members on this side of the House opposed to the principles of the Land Act of 1870, one might have suspected that it was a humourous attempt to discredit that Act by showing to what absurd lengths similar principles might be extended, and by dressing up such a burlesque of it as is now before the House. So far, I have alluded only to the case of dwelling-houses. It is only dwelling-houses that are alluded to in the Preamble of this Bill, and, no doubt, the case of dwelling-houses is the most important. But there are other buildings excepted from certain sections of the Act of 1870, which this Bill would now include within their provisions. The chief of these are —demesne lands, town parks, labourers' houses, cottage allotments, and temporary lettings. There is not one of these classes which was not excepted upon grounds of public advantage. It is often necessary to provide occupation for demesne lands during absence of the family, perhaps for health, perhaps during a minority; but no one would let them to a tenant if, by so doing, he became subject to this Act. He would take cattle in to graze. The increase of pasturage is spoken of frequently as a grievance; but such proposals as this would directly tend to increase it still further. Then, as to town parks, none of the arguments by which the Act of 1870 was advocated apply to them. A tenant deprived of them is not deprived of his house, or turned adrift into the world. His residence is in the neighbouring town, and he holds a field or so for accommodation. Often such land is rented by the butcher or cattle dealer of the town until it can be let for building. As for the disadvantage to public interest of throwing impediments in the way of giving labourers potato-gardens or any cottage allotments, they are too obvious to require comment. But, indeed, it is not only the gardens and allotments, but the cottages themselves, that would be brought under this Bill; and I suspect the first effect of it would be not only to deprive labourers of their potato-ground and gardens, but of the cottages themselves, for I hardly see who would supply them on such conditions. I hold, Sir, this Bill would, in every case, be most mischievous. It would lead to the gravest injustice, and to endless litigation. And, if the evils for which it professes to be a remedy do really exist, it would aggravate and intensify them a hundredfold.

SIR GEORGE BOWYER pointed out that the Act of 1870 applied confessedly merely to agricultural holdings, and therefore it did not include house property within its provisions. He had no wish to confiscate the property of either landlords or tenants; but he thought that the principle of tenant-right was even more applicable to house than to agricultural holdings. The Bill would very much encourage building in Ireland, where it was most desirable that better classes of houses for labourers should be erected. Those who had charge of this measure were perfectly ready to consider any objections that might be urged against its details, and to accept such Amendments of it in Committee as they thought would be likely to prove useful. By passing the Bill, the House would merely be assenting to the extension of the principle of tenant-right in Ireland which they had already approved in the Land Act of 1870.

Mr. MELDON said, his opinion was that the introduction of the Bill was mischievous. Introduced by Members who were thoroughly identified with the existing land agitation, there was great danger that the House and the people outside would be led to believe that the present measure was part and parcel of this agitation. Now, nothing could be farther from the truth. There was no analogy in principle between the present Bill and the Land Act of 1870, and nothing, in fact, could be more opposite than the two Bills. The Land Act was passed because, Ireland being an agricultural country, it was felt that exceptional legislation was necessary in respect to the holding of land, and its object was to place the tenantry throughout the country on something like an equality with the tenantry of the North, who were protected by the custom of Ulster tenant-right. Its main object was rather to check capricious eviction than to give compensation to the tenant. None of these considerations applied to the tenancy of houses in towns. House property in Ireland was very variable in value, and oftentimes it was greatly depressed. After the Land Act of 1870 the interest, not only of the tenants, but also of the landlords in agricultural holdings, increased in value very greatly; but, with respect to house property, no such result could be hoped for. In Dublin a large number of houses were unoccupied, and until to-day he had never heard it asserted there was any reason for legislation of the kind now proposed. The fact was that certainly in large towns the landlords were at the mercy of the tenants—the competition for agricultural holdings was very severe; whereas for houses the competition was amongst the landlords to get their houses let. What was really the object of the Bill? Why, it was to compel owners to pay for all improvements their tenants might wish to make. It was not called for by the tenant-farmers or any other class in Ireland, and he repudiated the idea that the Bill formed part of the programme of the present tenant-right agitation. Landlords were even anxious to give facilities for the letting of their houses on any terms, and there was no difficulty whatever in getting houses suitable for all classes of tenants in the towns of Ireland. It was an absurd and monstrous thing to say that at the end of a six or 12 months' tenancy, a landlord should be compelled to put his hand into his pocket and pay for improvements the tenant might have made in his time to add to his own comfort. The 1st clause of the Bill was perfectly senseless, inasmuch as it proposed to extend and legalize a custom which, practically, did not exist to houses in towns. The only foundation for the statement that tenant-right existed in respect of houses in towns was the tradition that such right existed in cases where the dwelling-houses were really appurtenant to the occupation of agricultural holdings; but, otherwise, there was no instance of the Ulster tenant-right being applied to house property, and he protested against the Bill being looked upon as being connected with the tenant-right agitation in Ireland. The details of the measure were as bad as its principle, inasmuch as it actually curtailed, instead of enlarging, the tenant's right to fixtures. The 1st clause was senseless, extending as it did, a custom which was non-existent; the 2nd was vicious in principle, inasmuch as if any legislation was required, it was rather in the opposite direction, tending to the relief of landlords rather than inflicting injury on them; but the clause as to fixtures was decidedly retrograde, and would inflict most serious mischief on the rights of tenants as they existed at present. Agricultural tenants, under the law as it now stood, had an absolute right to remove all fixtures either during their tenancies, or during a certain period after its determination, subject to only two restrictions—first, that they must not do "substantial" injury to the freehold; and, second, that they must not destroy the fixtures themselves. Now, the present Bill imposed very serious restrictions on those rights. Fixtures could not be removed unless all rent was paid and all covenants in lease fulfilled. The landlord was to have a right of pre-emption, and certain notice must be served before removal, &c. &c. Every tenant would be up in arms against such mischievous legislation. It certainly was most essential to encourage building improvements in the vicinage of towns; but the provisions of the Bill were not the form in which that ought to be done. Encouragement should be given for the erection of dwellings for agricultural labourers outside of the towns, compulsory powers to take land, where necessary, for the erection of dwellings in small towns, and the extension of the Artizans Dwellings Acts would be suitable means; but this Bill was erroneous in principle, and mischievous in detail. He had entered at some length into his reasons far opposing the measure, because he did not wish to give a silent vote against it.

MR. FAY said, the covenant to surrender the tenancy involved, in ordinary cases, a covenant to surrender improvements and fixtures. A rated occupier would under this Bill, which was confined to ratepayers of £50, be likely to put up extensive improvements. The object of the Bill was, he believed, to deal with the cases of small towns, in which great difficulty in obtaining dwelling-houses existed. In these towns and in villages, the accidental circumstances of a person being a tenant should not, therefore, deprive him of the compensation which the Land Act had given to tenants of agricultural land. A case of extreme hardship had occurred in the county of Louth. A man built an excellent house on some ground which he held upon a lease almost expired, the landlord promising that when the event took place, he would grant a renewal of the lease. The landlord, however, died before the expiration of the lease, and his widow, when it fell in, refused to carry out his promise, and thus, in fact, confiscated all the improvements made by the tenant. Under a measure such as that now proposed such a thing would be impossible. There was a feeling in the North of Ireland that such a measure as this was requisite. He thought that if the provisions of the Bill were restricted in Committee, it would prove a very moderate and beneficial measure.

MR. SHAW said, he knew many instances in towns in which the house in the town had been built on a piece of ground held on very different terms from the land—in fact, on something like a building lease. In the case of holdings of land, the tenant did everything on the land in the way of improvement. But that was not the case in regard to houses. There the landlord had to do all the improvements and repairs, and, so far from the landlords being the masters of the tenants, the tenants were masters of the landlords. There was, therefore, in the present instance, no cause for legislative interference between landlords and tenants; and such interference, when not absolutely necessary, was much to be deprecated. The simple result of a Bill of this kind would be to create a feeling against tenant-right legislation by raising an impression that extravagant demands were made on behalf of the tenants. Those who supported the Bill would therefore, he believed, although quite unconsciously, damage the cause which they had at heart. He did not say that no amendment could be introduced into the law of landlord and tenant; but it might well be postponed for further consideration and to another year. In the meantime, this Bill had better be withdrawn.

MR. T. DICKSON said, he would vote against the Bill as a North of Ireland Member; because he believed it to be a departure from the principles of the Land Act of 1870, and calculated to do injury to the cause of tenant-right. He had heard no demand for it in Ireland, and he therefore trusted that it would be withdrawn.

MR. O'CLERY, in supporting the Bill, pointed out the misapprehension that appeared to exist in the mind of the hon. and learned Member for Kildare (Mr. Meldon) in classing this measure with the Land Act of 1870. The cardinal principle of the Land Act was compensation for eviction. The cardinal principle of this measure was compensation for improvements. It was framed with the object of encouraging the holders of houses in the smaller towns and villages to improve their tenements by securing to them, on payment of rent, the value of their legitimate outlay. There was no evidence of any desire for confiscation of property, as stated by the Irish Conservative Members. On the contrary, it was intended to legalize what practically existed at that moment in towns like Bandon, Lismore, Letterkenny, and other places where the landlords had put the system in operation, with advantage to themselves and to their tenants. But a notable instance was to be found as to the desirability of some such action, and one which must not be regarded as based on mere assertion. The Poor Law Report of 1870, which was regarded by that House as of the highest authority in the discussion of the Land Bill in that year, cited the case of Enniscorthy. That town was equal, if not superior, to any other town in Ireland of equal population for the number of well-built and substantial houses it possessed. In many instances these houses had replaced the most worthless tenements, owing to the understanding arrived at with the local landlord that encouragement should be given to the intending tenants to secure them for their outlay in keeping those houses in repair. On the other hand, the neighbouring town of Wexford could furnish examples of absolute confiscation on the part of the landlord of the tenants' improvements. He was informed of the case of an enterprizing merchant there being compelled to pay to the landlord nearly £500 for improvements actually made by himself. Surely, that was a state of things that in a country like Ireland demanded a remedy. No doubt, it would be said it was initiating exceptional legislation; but hon. Members should remember that the ex-Premier said, in 1870, that Ireland urgently required exceptional legislation. The hon. Members from the North of Ireland, who were always so ready to respond to the toast of "Prosperity to Ireland," should support this Bill, so eminently calculated to ensure real prosperity in the smaller towns; but he feared their ideas of prosperity for Ireland meant merely increase of fat cattle, instead of the happiness and well-being of the Irish people, struggling, as they were, against the results of centuries of misgovernment.

Mr. J. LOWTHER hoped that the hon. and learned Gentleman the Member for Kilkenny (Mr. P. Martin), who had moved the second reading of the Bill, had been convinced by the discussion that he had undertaken a hopeless task, and that he would avoid the trouble of going to a division. But the hon. and learned Gentleman, in the course of his speech, appeared to labour under a misconception with regard to the Land Act of 1870. The hon. and learned Gentleman spoke as if the House of Commons in general, and Her Majesty's Government in particular, were bound to regard that Act with great veneration. He spoke of it as forming an essential part of the law of this country, to which we were all bound to look with respect. He (Mr. J. Lowther) must repudiate that proposition. He confessed that he could not do otherwise than protest against that legislation. He knew it was fashionable to say that if a Government were not prepared to propose the repeal of an Act, they should not use any language that might be considered disparaging in relation to it. It had, however, been said that if a physician was called in to prescribe for a patient whose leg had been amputated by another doctor, he was not to be precluded from criticizing the treatment of his predecessor because he was not prepared to sew the leg on again. In the same way, because the Government were not prepared to propose the repeal of the Land Act, they were not bound, on that account, to express any approval of the principle on which it was founded. The hon. and learned Gentleman argued as if the Bill was merely an amplification of principles embodied in the Land Act; but the remarks of hon. Gentlemen near the hon. and learned Gentleman had disposed of that argument, and had shown that the principles sought to be established by this Bill were by no means an enlargement of that Act, but in contravention of its principles. The Land Act dealt merely with agricultural holdings. This Bill proposed to apply to houses in towns principles which were certainly not applicable to them, even if they were to agricultural holdings. It would apply the Ulster tenant-right custom to holdings in towns up to the annual value of £50. The hon. Member for Cavan (Mr. Fay) spoke as if no occupier of £50 would commit what he called the extravagance of putting up a conservatory; but £50 represented a very considerable holding in a country district, and he did not think that the occupier of such a house would necessarily lay himself open to a charge of extravagance by erecting a conservatory. Then it was said by the hon. and learned Gentleman who introduced the Bill, that if the tenants of agricultural holdings were secured the benefit of their improvements, the occupiers of houses in towns should not be debarred from these advantages. But on what ground was the Act of 1870 passed? On this—that the position of the occupying class in Ireland was so dependent that they were incapable of entering into contracts with their landlords. The hon. and learned Gentleman did not adduce a single reason for believing that this was the state of facts in towns, nor did he urge that any demand for this Bill existed, or that if it did, it was founded upon any good ground. The occupiers of houses in towns appeared to be perfectly well satisfied, and if not, they had their remedy, and could protect themselves against their landlords by taking some of the many houses which were now vacant in Ireland. It could not be said that the number of houses vacant in Ireland or the demand for them was so great that any exceptional legislation was necessary to secure accommodation for the tenants. The hon. and learned Member had referred to the Agricultural Holdings Act of 1875. The principle of that Act was freedom of contract, without which it would never have been introduced by the Government, or acquiesced to in Parliament. He ventured, under these circumstances, to think that this measure was not wanted, and would not meet with the approval of the House, and, therefore he hoped that the House would refuse to pass its second reading.

MR. KNATCHBULL-HUGESSEN said, he should have taken no part in the debate, but that he desired to enter his protest against a portion of the speech of the right hon. Gentleman the Chief Secretary for Ireland. The right hon. Gentleman told the House that he did not approve of the Land Act of 1870, and that, although the Government were not inclined to bring forward any amendment of that Act, he protested against it, and was not prepared to give the approval of the Government to that Act. Considering that the measure spoken of in these terms had been introduced as a great remedial act towards Ireland, it was an unfortunate thing that the Representative of the Government should, upon almost the first occasion of his addressing the House in his capacity of Irish Secretary, enter into a deliberate attack on that measure. He was afraid such language from the Treasury bench might have a very disastrous effect in a country so susceptible to political agitation as Ireland. When a Member of the Government used such language, they should not be surprised if they discovered that in declaring that the Irish Land Bill was not regarded as a settlement by the Government, they had encouraged those who advocated an extended measure of tenant-right to think the same thing. He had never heard a more direct encouragement to the land agitation in Ireland than what had fallen from the lips of the right hon. Gentleman that day. ["No, no!"] When a measure intended as a settlement of a great question had been deliberately adopted by Parliament by large majorities, and a Member of the Government afterwards assailed that Act, he could not regard that as otherwise than an encouragement to agitation——

MR. J. LOWTHER: I beg your pardon. I did not assail the Act. I said Her Majesty's Government were not responsible for the Act, and declined to join in expressions of approval respecting it.

MR. KNATCHBULL-HUGESSEN said, the right hon. Gentleman had substantially assailed the Act, for he claimed a right to criticize it, and said that he protested against it, and that the Government was not bound to respect it. He thought it right to warn the right hon. Gentleman that that was very dangerous language to use in respect to an Act intended as the settlement of a question which had excited so much interest in Ireland. It was because the present Bill was a violation of the principle on which the Act of 1870 was based that he was prepared to vote against the second reading. He did not say there might not be good in the Bill; but the good had not been conspicuously shown in the debate, and the Mover would be well advised if he withdrew it for the present Session.

MR. P. MARTIN said, that after the observations of the Chief Secretary for Ireland with regard to the Land Act of 1870, he felt bound to proceed to a division, as a protest against the idea that the Act was, or could be, accepted by the tenants of Ireland as a settlement of the land question and as a satisfactory concession of their rights.

MR. MITCHELL HENRY said, he must ask his hon. and learned Friend to consider the position in which he placed hon. Members. They were asked to vote for the second reading, not because this was a good Bill, for there were great differences of opinion upon that matter, but as a protest against something that was said, judiciously or injudiciously, by the new Chief Secretary for Ireland. Who was to decide between the members of the Bar who disagreed upon the question? The hon. and learned Member for Kildare (Mr. Meldon), a distinguished member of the Bar, and one of the most ardent advocates of tenant's rights, stated that, instead of benefiting anybody, certain clauses would positively inflict the very greatest injury upon many of the persons whom his hon. and learned Friend desired to serve. The Bill seemed really to have been introduced for the purpose of affording an opportunity to hon. and learned Gentlemen to exercise their forensic talents before the House instead of in the Four Courts. He could not vote for it, and he should leave the House—a course he was always very unwilling to adopt; but in the conflict of legal argument, he felt that no other resource was open to him.

Question put.

The House *divided*:—Ayes 17; Noes 258: Majority 241.—(Div. List, No. 61.)

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

MONEY LAWS (IRELAND) BILL.

(*Mr. Delahunty, Mr. Power.*)

[BILL 56] SECOND READING.

Order for Second Reading read.

MR. DELAHUNTY, in moving that the Bill be now read a second time, said he felt that he incurred some responsibility by bringing forward that question, as he was not qualified to explain it so clearly as others might be. He had, however, the consolation that the two Houses of Parliament had, as far as England was concerned, decided in favour of the change which he advocated. He had brought this matter forward in the shape of an abstract proposition, but he now brought it forward in the shape of a Bill. The time had arrived when Ireland ought to possess the power, now enjoyed by England, of having a specie circulation so as to render money plentiful and abundant in that country. He must, however, draw a distinction in speaking of the legislation on that subject which affected the Three Kingdoms. Up to within a comparatively recent period England and Ireland had always been in the same position in respect to currency laws, and when he was told that he had to reckon with Scotland in that movement, he denied that altogether. In England the persons who first started joint-stock banking, in consideration of lending all their capital to the Government, obtained a strict monopoly, and no other companies were allowed to compete with them. Thus, the extraordinary anomaly was created, that persons having subscribed their money to facilitate and benefit trade, the way in which that was carried out was by lending to the Government all the money which should have been used for the purposes of trade, and by prohibiting the competition of all other capitalists. The Bank of England was established and no other bank of issue was permitted. The same law was also applied to Ireland. The Bank of Ireland lent £3,000,000 to the Government, and in consideration of lending that capital, which ought to have been devoted to the purposes of trade, they were allowed to have a monopoly. In Scotland it was quite the reverse. There, joint-stock banks were allowed to an unlimited extent; no monopoly existed, and the consequence was that Scotland attained a prosperity which Ireland was never permitted to enjoy. England and Ireland had, in that matter, been in the same boat, and Scotland had been in a different boat. He did not grudge Scotland the benefit she had derived from free banking, nor did he seek to interfere with her arrangements; but he wished that Ireland should have the same advantage of a specie circulation which had done so much for England and made her the great country she now was. A Committee sat in 1826, and it would appear that, according to the evidence, there were 32 joint-stock banks in Scotland. He wanted to show that Scotland had been in this respect a favoured nation as compared with Ireland. The evidence given before the Committee was of an extensive character, and every man of financial ability and information gave evidence tending in the direction of extending to Ireland the law applied to England, the only persons who gave evidence against it being men whose views—although they knew nothing about the matter—were taken as gospel by those who knew less. In Ireland, in 1822 and 1823, the banks failed, and the result was that famine stalked through the land, whilst provisions being abundant could be had for half the price they previously fetched. The people starved because the circulating medium did not exist, or exchanges owing to its scarcity, and there was no employment to near the necessary amount. He only wanted to put Ireland on an equality with England; and no doubt, if the small notes were suppressed in Ireland, they would have a large increase in specie, also in large notes. The two countries progressed somewhat equally in manufacturing developement as long as their financial laws were the same; but the moment their laws became different Ireland went to the bad, while England sprang forward in the race. In England all the great leaders of public opinion had advocated the propriety of withdrawing £1 notes because specie currency would never circulate with small notes. In two years after the abolition of £1 notes the specie circulation of England increased some £20,000,000 or £30,000,000, and the note circulation also increased. The country thereby acquired a larger circulating medium, and at the present moment the circulation of England was five or six times greater than it was in 1824. The English circulation was now £136,000,000; whilst in 1822-3 the whole circulation was only about £26,000,000. Up to 1826 the circulation of Ireland was always about 1 to 4, as compared with England and Wales, but how did they stand now? In 1825 there was an Irish note circulation of over £8,000,000, whilst in England the note circulation by inflation had increased to £35,000,000. From this inflation 77 banks stopped payment, when thereupon Parliament passed a law to suppress £1 notes, in order to let gold into circulation. Since then England had gone forward, whilst Ireland had gone backward. In 1826, out of a population of 200,000 in Dublin, 60,000 went through the hospitals owing to the depression of trade, and manufacturers ceasing to be employed. In 1847, in consequence of the English panic, the banks of Ireland withdrew from circulation more than half the amount of notes they had previously issued, and the circulation was brought down from £7,000,000 or £8,000,000 to £3,500,000 in 1848-9. Again, they had a famine, and from the extinction of employment through the want of circulation, the population diminished to an unprecedented degree. He knew it had often been said that Ireland was merely an agricultural country, and could not be a manufacturing country; but he denied that statement, because Ireland always had been a manufacturing country up to the year 1826, when England got the right and good money laws, leaving Ireland with the wrong ones. In proof of this the hon. Gentleman quoted descriptions given by Arthur Young on the social and industrial condition of England, Ireland, and France respectively, from which it appeared that the ways and progress and prosperity of England and Ireland were pretty much the same, while France was very backward and much behind them. Arthur Young said the manufactures of Ireland were progressing, and her state was most prosperous, and was fully equal to England in the reward for the labour of her people. He stated that the dwellings in Ireland had been nearly all rebuilt during the previous 20 years. In 1793 they had evidence that Irish manufactures were extending, and had improved considerably. That was the evidence of 80 years ago, and at that time there was no £1 notes. Arthur Young stated that in Ireland the cotton manufactures were increasing and improving, and glass manufactures, particularly the bottle trade were also increasing. The manufactures of paper and other manufactures were also carried on in Ireland, and were carried on successfully. Besides Arthur Young, the hon. Gentleman quoted a number of works in support of the fact of the existence of manufacturing prosperity in Ireland for many years; from Postlethwayts' and Jones' works; Lord John Sheffield's *Observations on the Manufactures of Ireland*, published in 1785; Samuel Crump's *Prize Essay on the Employment of the People*, in 1793; Thomas Wallace's *Essay on the Manufactures of Ireland*, in 1798; and Thomas Mortimer's Work on the *Manu-*

factures and Commerce, in 1810. People said they could not manufacture iron in Ireland, because they had no iron, but it was manufactured in places in England where they had no iron; for instance, at Bedford there were very large iron manufactures, and they obtained their iron from South Wales, and they had to pay double the freight to bring it to Bedford by railway, than had to be paid to bring it by sea to Ireland. It was all nonsense to say that they could not have iron manufactures in Ireland as well as they could have them at Bedford, Nottingham, Reading, and other places in England. He contended that Ireland would again be a great manufacturing country, as she had been before, were it not for those infernal £1 notes. If she were only treated by England as Yorkshire was, she would be a great source of strength to the Empire and her prosperity would be assured. That was his idea, and he meant to stick to it and to swear to it. Lord Sheffield, who had been a long time in Ireland, wrote in 1785 that the present improvement of Ireland was as rapid as that of any country had been—that she was a prosperous country, had manufactures, and that her people lived by them. That was the condition of the country 90 years ago, and the question was—Why was it that she had not gone on prospering? People were obliged to fly their country to seek their subsistence. He said that one remedy for this state of things was the remedy which he proposed in his Bill. The reason why he was so anxious to have Home Rule was because such Bills as his would soon be passed. He wanted Home Rule, because he believed it would tend to the prosperity of Ireland, as the local legislation would soon give the Irish as good and similar laws as they enjoyed in England, and therefore it was that he was a Home Ruler to the fullest extent. Lord Sheffield, whom he had quoted before, went on to say that the manufactures of Ireland were excellent. What he wanted to show was that those who said Ireland could not be a manufacturing country were entirely wrong, and he believed he had succeeded in doing that. He believed that if £1 notes were abolished it would settle the manufacture question, and result in making Ireland as prosperous as England. It was earnestly desired by him that the £1 notes should be abolished, with the view to establish manufactures in Ireland again, and they must either have this brought about, or Home Rule—one or the other they must have, and the sooner the better, for Ireland would not remain satisfied, or in the condition it was now in without one or the other being brought about. It had been truly said that with regard to Home Rule——

Mr. SPEAKER: I would remind the hon. Member that he is not confining himself to the question before the House.

Mr. DELAHUNTY hoped that the House would see fit to bring about what he wanted. It was a reasonable concession to make, and he would defy anybody to show that the withdrawal of £1 notes would not be for the benefit of Ireland, for they caused the circulation of money to be totally inadequate to the wants of the people. They knew that England had no small notes in circulation, nor had France nor Germany —the latter country passed a law to abolish small notes after the year 1875, and the effect would be to increase the circulation of money of every kind. Look at the countries that had small notes in circulation. They all knew how they got on, and that the populations had been depressed to an enormous extent. Austria, Hungary, Russia, Spain, and Italy had small notes, and, looking at these countries, he would defy anybody to show that it would not be to their advantage to have small notes abolished; while, as regarded Ireland, that country particularly required their withdrawal from circulation. He did not intend to talk the measure out, but would rather appeal to the justice of the English Members, and also to Scotchmen, who, he hoped, would not interfere adversely in this Bill. In regard to this measure, if Scotchmen allowed it to pass in order that Ireland might benefit, and if they found it had that effect a Bill might be introduced by one of their Members to obtain the same benefit if they so desired. In conclusion, he begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Delahunty.*)

MR. ANDERSON, in moving that the Bill be read a second time that day six months, said, the hon. Member for Waterford had left him only a few minutes to reply; but that was of little consequence, for the long speech they had listened to had been so entirely wanting in logical continuity, and was so quaintly inconsequential, that it was difficult to lay hold of salient points to reply to. The hon. Member, however, had spoken of prosperous manufacturers in Ireland hundreds of years ago, and had said there were then many hundreds of manufacturers in Dublin, where now there might be scarcely one; but he forgot one large factor in the argument—that in those old times they had little machinery, and no steam—and probably the one manufacturer of to-day would produce as much as the whole 1,500 of old times. He had said, also, that there was no country with a small note circulation that had not, along with it, a depreciated currency. The hon. Member actually forgot his own country—Ireland—where there was no depreciation of currency, and every £1 note was good for the full 20*s.*; and Scotland was in the same position. The hon. Member's argument was only the old logic that "Tenterden steeple caused the Goodwin Sands." He saw the £1 note in Ireland, and he saw want of prosperity there; and so he concluded that the one must be the cause of the other; but he must look deeper than that for the cause of Ireland's poverty: and, in any case, it was an extraordinary remedy to propose for that poverty to take away what money she had, and make her poorer still. The hon. Member had not shown where the gold was to come from to replace the currency he wanted to take away; but he would not continue his remarks, as he did not wish to talk out the Bill, or to deprive the hon. Member of the satisfaction of a division upon it.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Anderson.*)

SIR JOSEPH M'KENNA, in opposing the Bill, said, he should not have time to make any lengthened remarks, but he intended to reserve his observations on the Bill for a future occasion. He did not think the withdrawal from circulation of £1 notes would do anything to remedy the wrongs and evils complained of by the hon. Gentleman. Without going at length into the question, he would state as regarded the hon. Member for Waterford, that although they all respected him, a considerable number of his Party looked upon the subject he had introduced to their notice that day as one of the very few on which he was astray. When they found that his Bill was brought in, having all the appearance of being a serious measure, and when attempts had been made by hon. Members to force it to a division at this hour, he thought it was his duty to protest against this course, in order that on a future occasion the question might be fully discussed on what they might courteously term its merits.

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

WAYS AND MEANS.

Resolutions [March 19] *reported,* and *agreed to:*—Bill *ordered* to be brought in by Mr. RAIKES, Mr. CHANCELLOR of the EXCHEQUER, and Colonel STANLEY.

Bill *presented,* and read the first time.

House adjourned at five minutes before Six o'clock.

* * *

HOUSE OF LORDS,

Thursday, 21st March, 1878.

MINUTES.]—PUBLIC BILL—*Second Reading*—Public Baths and Washhouses (39).

COLONY OF VICTORIA—THE MINISTERIAL CRISIS.—QUESTION.

THE EARL OF KIMBERLEY asked the noble Earl the Under Secretary for the Colonies, Whether any reply had been received at the Colonial Office to the telegram sent out to the Governor of Victoria on the 11th instant, with reference to the difficulties that had arisen in the affairs of that Colony?

EARL CADOGAN said, that evidently there was some defect in the telegraphic communication between this country and Victoria. The telegram despatched from London on the 11th instant, took four days to reach Melbourne, and the reply to it had taken five days to reach this country. The reply was in these terms—

> "Melbourne Government to Secretary of State, Colonial Office, London.—15th of March.—Telegram of 11th received. Negotiations for compromise still pending. Ministers propose fair terms to the Council. Nothing certain can be known for another week. The Assembly, the Law Officers, and the Audit Commissioners, have declared that the 45th Section of the Constitution Act is a special appropriation, and the money thus legally available will carry on the Government until the end of June. Full reports by mail.—Governor, Victoria."

He hoped that in another day or two he should be able to lay on the Table a further instalment of the Papers relating to recent events in the Colony.

PUBLIC BATHS AND WASHHOUSES BILL—(No. 39.)

(*The Lord Houghton.*)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD HOUGHTON, in moving that this Bill which had come up from the Commons be now read the second time, said, the object of the measure was to extend the Act for the establishment of Public Baths and Washhouses to covered swimming baths, gymnasia, and other means of healthful recreation. This would be a very useful power in the winter season, when open swimming baths and bathing places would probably be closed.

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

THE EASTERN QUESTION—RUSSIA AND THE PORTE—THE CONFERENCE.

ADDRESS FOR CORRESPONDENCE.

LORD CAMPBELL, in rising pursuant to Notice, to call attention to the precautions which appear to be desirable before Great Britain enters the approaching Conference, and to move for any recent diplomatic correspondence with Her Majesty's Government on the terms of peace between Russia and the Porte, said: My Lords, although it would not be consistent with the Usages of this House, as generally followed, or with the respect which I have always entertained for it, to submit a Motion of any kind, without a single argument in favour of it, no very long one seems to be required in this instance. The terms of peace between Russia and the Porte are not, as we are told, officially communicated, and the Government are not enabled to distribute them. There is no complaint, at least from me, upon this point. In ordinary intercourse, the necessity of seeing those terms has been perhaps, in some degree, exaggerated. It is clear that Russia will desire to retain her present acquisitions, until the European Powers intervene, in the form which so long a parturition is maturing. The principle of *Uti possidetis* must appear to her to sum up, if not all law, human, and Divine, at least the better part of equity and policy, at present. If the Conference is free to overrule them, the terms of peace afford but little scope for curiosity. If it is not, but one result is likely to present itself. On the other hand, from Constantinople and St. Petersburg, from Berlin and Vienna, comments have probably been made by eminent Diplomatists, as to what is going on between the two belligerents, which would do a great deal to guide opinion in this country, possibly to animate it. But we depend at this peculiar juncture on opinion for our safety. Such comments I have asked for. However, this is not a Motion to be urged upon a Government if they have no such Correspondence, or if they think it dangerous to produce it. Before proceeding further, I owe an apology to the House for venturing to trouble them at any length, with an interval so short, after the last Motion I brought forward. Nothing would induce me to adopt that course but our exceptional position. A hostile army at the gates of the capital we are entitled to defend—and much more than entitled—must alter the routine of individuals and Assemblies. It must force upon them many things they would have otherwise avoided. The Notice engages me to call attention to precautions seemingly desirable before the Conference is entered. Whether they are or not depends upon the view adopted of its function. My Lords, the approaching Conference in one striking aspect differs from all which modern history has presented. Whichever you refer to—that of Westphalia, or Utrecht, that which closed the Seven Years' war, that of Vienna, or that of 1856—this observation might be generalized. The attempt has always been to appraise the results of war, and to embody them in articles—to translate military loss and military gain into the conclusions of a settlement. Now, the function is diametrically opposite. It might be shadowed out nearly in this way. It is to prevent a superstructure of acquisition from being established on a basis of success, although a basis of that kind, as yet has always had the superstructure now to be avoided. On the other hand, this function is not beyond the range of possible success—first, because the European Powers surpass Russia when united in their force; secondly, because every one of them, if swayed by arguments of interest, or arguments of duty, would be ready to oppose her. But it will be a new, unprecedented masterpiece of diplomatic energy. Your Lordships will not readily assume that unless remarkable precautions are adopted, the world is about to see what in the lapse of time it has never been permitted to contemplate. The right of Europe to aspire to a result so different from the usual one, no doubt is incontestable. That the war was not begun in the interest of Eastern Christianity, is clear if only from this fact—that it was never sanctioned by the Patriarch of Constantinople, by the Armenian Patriarch, or by the Exarch of Bulgaria. In these venerable dignitaries Eastern Christianity has patrons more authoritative than the noble Duke (the Duke of Argyll) upon that bench and the late Prime Minister beyond it, however little either of the two may recognize the circumstance. If Russia was a mandatory —as at one time she asserted—the Powers who employed her are entitled to revise and to reject the work she has performed. If she was not a mandatory, she was an outlaw; and, as an outlaw, is exposed to general restraint. The clearness of the right would not, however, take away the difficulty of the function I have pointed to. By glancing at a few of the tasks which apparently devolve on the British Representative in any Conference which happens, I should hope still further to pave the way for the precautions it would be otherwise imprudent to advert to. He will have, as I contend, to maintain the Treaties of 1856 up to this point—that they should not be given up for any Russian object. Even if the Sultan quitted European Turkey altogether—a prospect upon which I do not hazard an opinion, and only mention hypothetically—it would be essential to maintain the void against a Russian tenure. It is idle to construct, as many reasoners are doing, the mental fabric of Byzantine Empires and Byzantine Federations, when you have a hostile army at San Stefano; when the occupation of Gallipoli is threatened; when villages are taken on the Bosphorus; when the Mediterranean is approached. Russia, where she is, defeats such projects altogether. The time for their discussion is summed up in an old tense, which the Phil-Hellene, no doubt, recalls with glowing admiration. It was called by the grammarians the *paulo post futurum.* The first task of the negotiator will be in the name of Treaties to evacuate a space, whatever creed or nationality is destined to re-occupy it. So far as ingenuity can do anything to undermine or to attenuate the Treaties of 1856, it has not been neglected. But they are not devoured yet, even by their authors. Their heirs have not succeeded in effacing them. As soon as the attack begins, on the ground of Ottoman resistance at Constantinople to what is humourously termed the "voice of Europe"—by way of proving General Ignatieff to be an eminent ventriloquist—the unanswered despatch of the Sublime Porte on January 25th last year is summoned to the rescue. As soon as the Protocol before the war began is urged to overthrow them, the unanswered despatch of Her Majesty's Government on May 1st effectually parries the manœuvre. As soon as it is urged that Russian arms have superseded them, the declaration which inaugurated the Black Sea Conference is summarily drawn out of the recesses which contain it. As soon as their antiquity is mentioned to their prejudice —the antiquity of 20 years—their second birth in 1871 is usefully commemorated At last the Governments of Europe are appealing to them. Like Mount Ararat, they rise above the waters of invasion. The diplomatic ark is resting on their summit. But there is a second task for the Negotiator of this country. He has on special grounds to re-establish the Protectorate of the races subject to the Porte which the Crimean War had vindicated for Great Britain. It is worth while to remark, if only for a minute, how that Protectorate escaped us. It flourished and it led to many salutary things until the resignation of Lord Stratford de Redcliffe. The withdrawal of Lord Stratford de Redcliffe by the Government of that time, was the first blow to its efficiency. It continued, with diminished force, under Sir Henry Bulwer, afterwards under Lord Lyons, and last of all under Sir Henry Elliot up to 1870. Then arrived the turning point, which cannot be too accurately noted. From the moment of the concessions to Prince Gortchakoff, the British Embassy was lowered indescribably in its authority at Constantinople. Simultaneously, by the misfortunes of the Franco-German War, the French Embassy was paralyzed. From that time their was no bar to Russian supremacy in the capital. The Austrian and German Embassies were both instructed to adhere to it, or favour it. The Holy Alliance could be traced in every office of Stamboul, in every station on the Bosphorus. Now, the whole case of those who would oppose my proposition —that the Negotiator ought to re-establish our influence—is summed up in the hope that Russian power effectually replaces it. If Russian power was any check to Ottoman misgovernment from 1870 to 1875, it must have wholly passed away. But, according to the school accustomed to inveigh against the Porte, at that very period it culminated in its errors. Again, if Russian supremacy over the Porte was any check to Ottoman misgovernment, it must have passed away during the eight years the Treaty of Unkiar Skelessi was in vigour, and assured to Russia a preponderance which the Treaty of Kainardji has been thought—but not correctly—to have given her. On this point there is an authoritative witness who, in our various discussions, I think, has never been referred to. During that period—in 1841—the French Government, directed by the illustrious M. Guizot, sent out a Commissioner to explore the state of the Bulgarians, which had been recently disturbed. M. Blanqui was the person chosen. He rode from Belgrade to Constantinople. He drew up a Report. He published an octavo. In that volume, which I have long possessed, and have often been on the point of citing to the House, the picture which he gives of mal-administration is darker than those which here are sometimes founded upon Consular Reports, or those which out-of-doors have not a Consular Report to justify their tenour. M. Blanqui is the dormant scourge—at least, the dormant refutation—of those who hold that the ascendancy of Russia suffices for the welfare of the races subject to the Porte; and all the more because he shares their love of Eastern Christianity. On grounds of this kind, the Negotiator ought to re-establish our Protectorate. Unless he does, the agitation of the country and the language of the Foreign Office for two years will have been fruitless. The Negotiator has, besides, another task which cannot be forgotten. If it falls within the duty of Great Britain to claim a Protectorate over these races, it falls within it to uphold or to revive the Constitution recently put down. However tentative and crude, it implies a check to the despotic power which had led to their misgovernment; to the despotic power which had increased since the extinction of the Janissaries. But here the argument may seem to bring me into controversy with the reasoners—well-known to the House—who openly denounce that Constitution as illusory and mischievous. But these reasoners have never yet employed a fact, much less an argument, against it. Even if they had, the testimony of Mr. Layard on the spot might do a little to out-balance them. Their method is a wily one. It seems to check reply. It certainly economizes intellect. On every occasion they refer to the noble Marquess the former Plenipotentiary as their authority and shelter. Anyone who casually listened to them without a further source of information would suppose that the noble Marquess was the author of a folio against the Constitution they disparage, or that he had brought to bear upon it a series of invectives in the style of Junius; or set up an organ—the very thing he disapproves of—which week by week, or day by day, was laying waste its mischievous pretensions or intolerable principles. What are the facts? It really is not useless, or wholly unamusing, to refer to them. In our Blue Books, the noble Marquess is the writer of one despatch upon the subject. I have not been contented with my own research, but engaged a friend to look all through the Papers of last year and see if he could find another. What does that despatch amount to? If I am able to interpret it, it amounts only to the temperate assertion that, although the Constitution might be irreproachable as a first attempt in a new path, it was not such an absolute security for certain definite reforms as foreign interference. The remark is wholly incontestable. All the world must see that the coercion of the Embassies—however undesirable an agency—is more certain to attain a given point they aim at than Chambers which must hear debates and then determine by majorities. To my knowledge, the founders of that Constitution do not object to the lânguage of the noble Marquess, although, no doubt, they bitterly resent the language which is built upon it. They hold with him that at the outset the Constitution was uncertain and precarious—still more if Russia crossed the Pruth to overthrow it. On these grounds, I should contend that to revive the Constitution would be at least among the tasks of the Negotiator. If, indeed, the Protectorate of Great Britain is restored, the Constitution may be less important. So, if the Constitution is brought back, the Protectorate is not so indispensable as otherwise it would be. The two agencies conduce to the same purpose. But it will probably occur to the reflection of the House that if the Negotiator succeeds in one task, he is pretty sure to do so in the other; that, as the obstacle will be the same, so also, if he fail in one, he will be apt to fail in both of them together. The general conclusion to which I would draw the House by glancing at the function of the Conference and at the toils of the Negotiator is that, without imposing preparations from Great Britain, the whole thing is absolutely hopeless; that she ought to approach it with the obvious resolution of becoming a belligerent, unless the Conference responds to the direction she would give it. In this sense, the first precaution, I submit, resides in a single word—mobilization. As, however, the word has been employed in different senses, I define it as that which furnishes an Army with everything necessary to transport itself, whether by land or sea, from one place to another. The next precaution to be mentioned is that of despatching a conspicuous Force to Malta, with a view to the impression it would make upon the Powers of the Continent. It must appear to everyone who reasons that 20,000 soldiers there have greater diplomatic influence than 50,000 while remaining in this country. During the autumn I have twice adverted to this subject. The third precaution which suggests itself may need a little more consideration. It is to render the Militia—during a restricted period — available for foreign service, although it does not follow that they would ever be required to join it. Whether they are or not, a great political impression will be equally created. The existence of the Volunteers as a replacing Force would justify this measure, if the Volunteers received a slight improvement in efficiency by means of a detail which might not interest your Lordships. Good authorities consider it opposed to every maxim of defence and of economy to lock up two extensive Armies in the United Kingdom on the sedentary principle. That accomplished person, Mr. Windham, when Secretary for War, at the beginning of the century, explained its inconveniences. But they are greater now than at that stage of our history. If invasion was constantly at hand, while foreign expeditions scarcely had to be contemplated, the system would be sensible and practical; but when invasion is much more remote than it was in the time of Mr. Windham, while foreign expeditions may be essential to our objects, it is not easily defended. It has only grown up in its present form since 1859, when Volunteers were re-established. To grasp the question with precision, it is useful to keep one eye upon the mass of guarantees for which we are indebted to a noble Marquess opposite, the other on the fact that since 1870 no Power has been well situated for invasion of Great Britain. The next precaution I intended to refer to very briefly is that of adopting every measure by which the Fleet would be enabled to advance into the Black Sea without the slightest insecurity when egress is desirable. What those measures are military men have pointed out to me, and they can better state them to your Lordships. But it is not to be contested that only in the Black Sea the Fleet will have the greatest weight as to the tenour of the Conference, because there it menaces Odessa and retards communication between the Russian Armies and their basis. By the amended Articles of 1871 the Fleet may enter the Black Sea whenever it is thought desirable to send it. It would be easily admitted that nations, to be really great, must utilize whatever fortune has bestowed upon them. But there is something more to be remembered. From time to time they ought to snatch a gain out of their losses. The British Fleet commanding the Black Sea will be a better answer to the Russian manifesto of 1870 than any of the various despatches it elicited. The last precaution is one which I approach with more anxiety than any of the others. It seems to me to transcend the others in importance, because it would be nearly certain to produce them, although in itself it is neither of a naval nor a military character. To divest this precaution as long as possible of everything which bears on living individuals, it might be mentioned as a common law regarding foreign policy in our country that duality — by which I mean the action of two rival and conflicting minds —has frequently impaired, while unity— by which I mean the direction of a single mind—has always added to its excellence. During the Government of Lord Chatham it may be easily observed that the unparalleled success of foreign policy arose greatly from the fact that no one else within the Cabinet was suffered to disturb it. The same remark occurs during the early years of Mr. Pitt's Administration, before Lord Grenville occupied the Foreign Office. On the other hand, when men even so distinguished as Lord Palmerston and Lord Russell, were endeavouring to guide it both together, the evils of duality were not without some illustrations—for instance, on the Danish Question in 1864, and as regards the *coup d'état* in France—which anyone may summon to his memory. Without building for a moment either on the impressions of society, or the assertions of the Press, but on grounds officially avowed, it may be stated that the duality in question has now reached a pitch unknown in our annals. Such grounds alone could justify the statement. As within a Cabinet no one is entitled to betray, so beyond no one can be qualified to fathom or interpret it. It belongs to the historical events of this very Session, that the First Minister considered that the Fleet ought to advance from Besika Bay into the Dardanelles, when the Secretary of State was conscientiously opposed to such a measure. At that stage neither can be censured. Each had a right to his opinion on a question so momentous. Nor am I engaged in reflecting on one, or on the other, or on both, because I point to the arraignment of duality. What followed? The Fleet advanced, and it retreated. In consequence of its retreat—this sad and overwhelming fact has been imparted to many noble Lords by a most eminent authority—the celebrated lines between the Black Sea and the Sea of Marmora were finally abandoned; Constantinople was at once exposed to Russian occupation. In consequence of its retreat, it had eventually to reach the neighbourhood of Constantinople, without the sanction of the Porte, in such a manner as to give that Power—with France and Austria, who are both entitled to defend it by the Treaty of April 15th, 1856—a right of war against Great Britain. My Lords, the upshot is, that duality, and not the guilt of any person you can specify, has brought about the present situation, in which the Naval Force incurs considerable hazard; in which the ally debates, the enemy advances, and the victim is in league with him; in which the Army we might have led, have supplemented, disciplined, has vanished. It is, therefore, in the name of everything valued out-of-doors, of everything sacred to the Legislature, the time to close the perilous and inadmissible duality, which never ought to have existed, and to which such grave calamities may justly be ascribed. The appointment of a new Secretary of State would do nothing to correct it. It might even seriously aggravate it. The public interest demands, excited numbers may soon imperatively call, for the concentration of the Foreign Office in the hands of the First Minister, until the present juncture is surmounted. It is wholly superficial to object that such a measure would too much increase his toils, when really it would lighten them. The greatest official toil—Prince Bismarck recently explained it in public—is the necessity to counteract another—to overrule or to persuade him. It is not by demonstrations, articles, or speeches, that this result should be effected, although, perhaps, they might contribute to it. The late Emperor of the French has been accredited with this searching observation—"There are certain counsels which a man must owe to himself, and not to those by whom he is surrounded." The noble Earl the Secretary of State has only to revert to the course his own mind had seriously prompted. If the post is not filled up in the usual manner, in less dangerous times, when the head of the Government is less required to watch and interfere in the Department, he may usefully re-occupy it. With such a definite arrangement, no self-sacrifice is wanted. The noble Earl would rather act upon the fiat of a judicious patriotism and a sensible ambition, both together. He would not, like Curtius—of whom we heard so often in the House of Commons—leap into a gulf for the advantage of his country; but, unlike Curtius, actually leap out of one and close it up as he retires. If there is a better mode of finishing the duality which weighs upon the Empire, it ought at least to be suggested. My Lords, if these precautions were adopted, there is reason to believe from their official Press, that the German Empire would be more likely to act with us at the Conference. If they do, its proper aims are seen at once to be attainable. The precautions I have mentioned would manifestly strengthen and encourage the Hungarians, by whom alone Austria can be fixed again upon the salutary path to which in 1856 she had determined to adhere. In France, they would awaken the set of public men who are anxious to withdraw their country from unnecessary fears, unfounded calculations, and a culpable indifference to the sacrifices, the efforts, which she made in the Crimea. Last of all, in Russia, they might lead the governing authorities at first to tremble at their spoils, and then to glance at their assurances. It is said by persons of the highest information that Russia is becoming more exorbitant; that another retrogression of the British Fleet is urged as a preliminary to the Conference. In that case such measures are demanded. But it is difficult to grasp the truth, and I will take the other case, advanced by some, that Russian moderation is increasing, that demands have been attenuated, and rapacity controlled. But what has led, if it exists, to such a temper? It is the renovated vigour of this country. It is the re-awakened sense of those who were deluded. It is that chloroform administered on platforms has ceased to lull and to enchain. It is that those by whom it was administered are now defended by constabulary force against the just resentment of the people. The aggressor falls back before Great Britain, who emerges. Is that a reason why she should withdraw herself to vain repose and fatuous security? Is it a reason for omitting one of the precautions I have brought before your Lordships? It may, however, be remarked that while these precautions are appropriate, and while the last of them is vitally essential, I have adopted an unusual course in stating them to-night with no official character to warrant the proceeding. No doubt in common times it would have been arrogant and imprudent in a high degree to act in such a manner. My answer is, the times are painfully exceptional. So long as the duality on which I have touched at so much length continues, in the established sense there is not any Government, however gifted all the individuals who avowedly compose it. So long as a portion of the noble Lords beneath—it would be most unjust and inexact to place them in one category—are swayed by open advocates of Russia, while the numerical resources of the Party they appear to be seceding from, listen to those advocates with wonder, with regret, and incredulity, in the established sense there is not any Opposition. The Opposition has become a martial field for rival forces to contend in by alternate weeks or by alternate fortnights, with a view that each may guide the course of the Executive. If an Opposition of the regular united form was in existence, the backward movement of the Fleet would long ago have been held up to public indignation more distinctly than it has been. A Monarchy so Constitutional as ours can hardly be expected to replace at once the well-known powers which are thrown into abeyance. A natural result has been developed. Already foreign policy has been appropriated by the masses. The law of nations is defended in Hyde Park and in Trafalgar Square, because in Downing Street it is not followed as it used to be. Under these circumstances an individual may not appear to take too much upon himself, if, after years of anxious labour on the subject, he indicates a path which is not that of war or of dishonour. My Lords, there is another ground on which a mode of acting otherwise too bold admits of easy vindication. It is the series of advantages which Russia has obtained, together with the obvious insufficiency of all the constituted powers in the State to balance her diplomacy. It may be viewed without a shadow of resentment. No one who has long allowed his thoughts to be directed to these questions, can withhold reluctant admiration from a long and curious display of mental force and mental perseverance in that line, although Great Britain may have suffered from it. Soon after the Crimean War the Russian Government succeeded in uniting the Danubian Principalities against the efforts of Lord Palmerston, as a better lever of any conquest to be gradually approached, persuading her more fatuous disciples that it was designed as a barrier to lessen her temptation and to hinder her advances. After that — but not till Lord Palmerston had passed away—the Servian fortresses were virtually appropriated, with what results your Lordships easily remember. Next came the forward and defiant step of 1870, with all the triumphs which it generated. Within three years the Holy Alliance—so long extinct—was re-established at the dictate of St. Petersburg. But it was not to be a sentiment or an abstraction. Its activity commenced at once in the shape of the Commercial Treaties with the Vassal Principalities, of which the design is now proclaimed, and then was manifest to all who were not anxious to be blind to it. Without a breathing time, the Herzegovinian insurrection was set on foot—in what manner Consul Holmes has long ago explained to us. The Andrassy Note was but the prelude to the Berlin Memorandum, by which so far as diplomacy extends, Russia appropriated to her system every Power but Great Britain. In a few months—by the results of a factitious movement in Bulgaria—she lured Great Britain to Constantinople, and made her there the very echo she required. Again, Great Britain was entangled in the Protocol which seemed to be the sudden cause of the invasion, when 20 years had really been preparing it. In the meanwhile, the most imposing as well as indefatigable speaker in the other House of Parliament was engaged to agitate the masses in its favour. For the first time a Russian Party was established in the capital, not as it had been in Warsaw to annihilate, but as it had been in Vienna, to perplex and to enfeeble; as it had been in Berlin to divide a nation from its rulers; as it had been in Paris to mock by hope, and chain to insignificance. The result is now before us. It is clear not only to your Lordships, not only to the Legislature, but to every farmer, publican, and artizan in the community, that ever since the Crimean War Great Britain has been outdone and overweighted in the struggle with her adversary. At such a time, however great the risk, no politician would be entitled to withhold the faintest service he can render. It may be objected that against a Power so remarkable for subtlety and so victorious in practice, the enumerated measures will be useless; that it is too late to fortify the Conference, or deliver Europe from the clouds which seem to burst upon her. If that were so, it would be still worth while for Great Britain to escape the heart-rending reproach to which a great Republic of antiquity exposed itself, in circumstances far too similar to those in which we are descending. The House may ask to what reproach I have alluded. It is long since I have seen the original. It used to run, however, in this manner—"The aggressor has not conquered you; he has prevailed over your inertness and fatuity. You are not subdued; but you were never roused into the dignity of effort." To shelter us from that reproach, not one of the precautions mentioned can be easily dispensed with. I now submit the Motion to the House, according to the Notice.

Moved, That an humble Address be presented to Her Majesty for any recent diplomatic correspondence with Her Majesty's Government on the terms of peace between Russia and the Porte.—(*The Lord Stratheden and Campbell.*)

EARL GRANVILLE: My Lords, I will not trespass long on the attention of your Lordships. I understood the noble Lord (Lord Campbell) to apologize to your Lordships for the postponement of this Motion from time to time. I believe, however, that your Lordships would not have required an apology even if he had postponed it *sine die.* The noble Lord referred to M. Guizot. Well, I remember once asking that distinguished statesman who was his most formidable opponent in the old Chamber of Deputies? He said—"M. Thiers; but if you had put the question in a different form, I should have named another person. If you had asked me who is the most difficult Member to answer? I should have named a very eminent orator and great poet, who speaks for an hour or more amid tremendous cheers, and at the end of that time I do not know what facts I have to deal with and what arguments I have to refute." Of course, I do not wish to compare myself to M. Guizot or the noble Lord to the great French poet. I am aware I run the risk of having the old joke applied to me as was applied to my noble Friend the Secretary of State for Foreign Affairs, the other night, when the noble Lord (Lord Campbell) said he was not bound to provide understanding for those persons who could not understand; but yet I must confess that this evening, as on a good many previous evenings, I have been altogether unable either to construe or to understand the greater part of the noble Lord's remarks. There was one point which was tolerably clear — namely, as to the precautions which he recommended Her Majesty's Government immediately to adopt. The first recommendation was to mobilize the Army. Well, I thought we had been assured by Her Majesty's Government that they had one division ready for work and that another would be ready shortly. Then the noble Lord said that troops ought to be sent to Malta. Why, I thought that during the last 18 months troops had been sent to Malta, until there was no longer room or barrack accommodation for more. Next the noble Lord proposed that an Act of Parliament should be passed for sending the Militia out of the country. If war should arise, such an Act might soon be passed. Then the noble Lord said Her Majesty's Government ought to enable the Fleet to go into the Black Sea. Surely these are precautions which are not quite well placed at a moment when Her Majesty's Government — and I quite believe that they are conscientious —are trying to devise some means of entering into a friendly Congress which may settle some of the gravest questions that have arisen for a very long time. Another thing recommended by the noble Lord was that the noble Earl the First Lord of the Treasury should, in imitation of the late Duke of Wellington in the absence of Sir Robert Peel, take nearly all the principal Offices of the Government into his own hands.

LORD CAMPBELL: I rise to Order. What I recommended was that the noble Earl at the head of the Government should also be the Secretary for Foreign Affairs. That does not imply all the other Offices.

EARL GRANVILLE: I understand that at any rate the noble Lord proposes that the First Minister of the Crown is to occupy two principal Offices in the Government. I have no doubt that the object of the noble Lord is, as he has assured us it is, to strengthen the hands of Her Majesty's Government in dealing with these questions; but I cannot help thinking that the course recommended by the noble Lord, instead of strengthening the Government, is calculated to make it more difficult for them to settle any really great and important questions. I do really ask your Lordships whether the noble Lord has a right to accuse the Opposition of neglect, because we do not bring forward such impractical conclusions as these?—and I ask your Lordships to dismiss what I must call such nonsense. As to whether the Secretary for Foreign Affairs—to use the classical allusion adopted by the noble Lord—should fill up the gap, not by coming in, but by going out of the Cabinet, I do not think it is for the dignity of this House to propose to discuss such speculations. The position of things is this—Her Majesty's Government have now received from both Houses of Parliament the full powers which they asked in the shape of this Vote of Credit, and they have given us the most formal assurances that they mean to support certain British interests, which they have specified; and, in addition to this, they have given us the most solemn pledges that they are doing as much as they possibly can to maintain peace between ourselves and Russia. That is a very grave duty, and it is a very great responsibility which is laid upon them. I do not know, and I do not believe that the noble Lord knows, what is the state of negotiations at this moment between this country and Russia—indeed, there are a great many things which I should like to know, which I should like to have cleared up, which I do not understand, and which I should like to have explained; but I am quite sure that it is not for the advantage of our national interests that the Opposition should be constantly asking Questions, and that Her Majesty's Government should be answering Questions at this very critical moment, just before the possible meeting of the Conference. I, therefore, venture to say these few words because I entirely dissent from the drift of the noble Lord's observations.

LORD HAMMOND regretted that the noble lord (Lord Campbell) should have seen fit to discuss such subjects as those he had referred to at the present time. The noble Lord had referred to the inconveniences which arose from what he called "dual administration;" but the proposed change in the Ministry was not one which their Lordships could seriously entertain. It had always been understood—at least during his official career—that the Prime Minister and the Secretary of State for Foreign Affairs were jointly responsible for the foreign affairs of the country—subject, of course, to the supervision of the Cabinet. With regard to the approaching Congress, the noble Lord (Lord Campbell) had defined the precautions which this country ought to take previous to entering into it. But he (Lord Hammond) scarcely thought it would be desirable for their Lordships to define the precautions which Great Britain should take before participating in the deliberations. Such a definition would be calculated to fetter the free action of Her Majesty's Government and of Her Majesty's Plenipotentiaries, and might very much embarrass them in their negotiations—and, further, it would give a handle for opposing Powers at the Conference to thwart the policy of Her Majesty's Government. In his opinion, the conditions under which, as stated a few nights ago in "another place," Her Majesty's Government had agreed to enter the Conference, went as far as any conditions could safely go in the way of precaution—namely, that each State should preserve liberty to retire at any moment from the Conference—that the majority should not bind the minority—and that every Article of the Treaty between Russia and Turkey should be placed before the Conference in such a manner as that the Conference might judge whether it should be accepted or not. He thought that not only no good, but much inconvenience would result from discussing in that House the several Articles of the Treaty when Her Majesty's Government should be enabled to lay them upon the Table. Those Articles, so far as as they affected the interests of each and every one of the Powers, were reserved for the consideration of the Conference, where the several Plenipotentiaries would speak under the authority and with the responsibility of their respective Governments, and where alone the great interests at stake could be usefully and properly discussed and decided upon. Indeed, he trusted there was no intention, such as had been stated in some of the daily papers, of holding a preliminary Conference. Such a Conference could not be needed for establishing the bases on which the definitive Conference should proceed, for there was only one basis, and that had already been agreed upon by a majority, if not by all, of the Powers—namely, that every Article of the Treaty of San Stefano should be placed before the Plenipotentiaries in such a manner that they might judge whether it should be accepted or not. The only effect of an attempt to lay down in a preliminary Conference the principles upon which that basis should be acted upon would be to restrict the ground for the deliberations of the Conference by tying down the Representatives of the Powers to foregone conclusions. Whatever the conclusions at which the Conference, whether preliminary or definitive, might arrive, he trusted they would not involve the establishment of a Russian right to interfere hereafter for the protection of any part of the population of the Turkish Empire, whether severed from the direct rule of the Sultan or still remaining subject to his sway. Limited as might be the sphere in Europe in which such a right of protection might be exercised to the prejudice of the Porte, the case would be different in Asia Minor. A Russian Protectorate there would be tantamount to the establishment of Russian sovereignty from the Euphrates to the Mediterranean; for there never would be wanting a pretext for Russian interference on behalf of populations alleged, whether truly or falsely, to be groaning under Turkish maladministration. Bad and oppressive as Turkish administration might be, and grievous as might be the sufferings of Armenian and other peaceable inhabitants, there could be no doubt that much of those sufferings might be laid to the charge of the nomad population—Kurd, Bedouin, or Circassian—by which the country was systematically harried and devastated; and the Porte could not better employ those forces, for which it would no longer have occasion in the field, than in bringing those wild tribes under control. It might seem a sanguine expectation, but he thought that notwithstanding all the disasters Turkey had sustained, there was still, even beyond the limits of Europe, an opportunity to re-establish herself in general opinion. Notwithstanding all that had happened she might still rehabilitate herself if she would devote her energies to the establishment of a system of government which would tend to the happiness of her subjects and secure the country from further devastation. In the Greek population in Asia Minor subject to Turkish rule there was no want of intelligence, industry, and commercial activity, which, if admitted to take part in local government in common with the Mussulman population, would afford a sure means of developing the resources of the country and maintaining good order and tranquility within its borders. No effort should be spared to induce the Porte to act on these principles in dealing with its Asiatic Provinces; and it might be hoped that the lesson which it had now learnt of the fatal consequences of apathy and neglect of its duties to subject populations would induce it hereafter to enter upon and follow up a course tending to uphold the Sovereignty of the Sultan in all parts of his Dominions. With reference to Greece, he would remind their Lordships that the Conference was to assemble to consider and determine how far the late Treaty between Russia and Turkey was consistent or not with the provisions of the Treaty of 1856, to which England, Austria, France, Italy, and Prussia were, with Russia and Turkey, alone parties, and that as Greece was no party to it she could have no *locus standi* in the Conference. Greece, however, might very well be invited to depute a Representative to Berlin, who would be prepared to plead her claims before the Conference in the event of any question arising in which the interests of Greece might be involved. And he was free to say that any such interests would deserve the most considerate attention at the Conference, not only for the sake of Greece herself, who had such large claims on the sympathy of all civilized nations, but also for the sake of Europe at large, which was deeply concerned in the extension and well-being of the Hellenic Kingdom. A somewhat parallel case might, indeed, be found in the proceedings of the Congress of Vienna of 1815. Switzerland was not represented in that Congress, but the interests of Switzerland, and those of Europe involved in them, were there discussed and provided for, and Lord Stratford de Redcliffe, then British Minister in Switzerland, was summoned from Berne and took part in a Commission by which the arrangements for Switzerland were considered before they were finally adopted by the Congress. If such a course were followed as regarded Greece in the approaching Conference, no reasonable objection could be made to it.

THE EARL OF DUNRAVEN said, he was aware that there existed some difference of opinion even among Members of their Lordships' House as to how far the Treaties of 1856 and 1871 had or had not been broken by Russia. The noble Lord who had just sat down (Lord Hammond) had spoken of them as "the late Treaties," and the noble Duke (the Duke of Argyll) the other evening said that if the Treaties had been broken they had not been broken by Russia. He (the Earl of Dunraven) could not say whether they had been infringed or not; but if they had not, it was easy to suppose that cases might occur in which certainly they would be broken. If, for example, Russia were to obstruct the entrance into the Black Sea, she would, he presumed, by assuming functions that had been deliberately delegated to another nation, be breaking the Treaty of 1856 as far as it lay in the power of any one nation to do so. If, also, Russia were to decline to submit to the signatory Powers every part and every term of the arrangement into which she had entered with Turkey, she would, he imagined, be infringing the provisions of that Treaty, and destroying it, as far as was practicable, by attacking the very principle and essence of it. Now, what he should like to know was, how far, if any one of the parties to the Treaty broke it, the other Powers who were parties to it were severally bound by the Treaty or any other arrangement subsequent to it and legitimately connected with it? Would England, for instance, if Russia refused to submit the terms of the Treaty between her and Turkey to the Congress, consider herself bound by the Declaration of Paris? That Declaration grew out of the Treaty, and was practically part and parcel of it. If England were to go to war because of an infringement of the Treaty of 1856 with Russia, would she be bound by the Declaration of Paris? It appeared to him to be monstrous that Russia should in such an event be allowed to reap the benefit of those restrictions in regard to maritime rights which were imposed upon us by that Instrument. He would remind the House—and he thought it was significant—that the Power to which Russia had taken the greatest pains to be civil—he meant the United States—was the only powerful State which had refused to sign the Declaration of Paris. There were, he might add, two points on which he wished particularly to touch, although he should have preferred waiting until the terms of peace were known. But as it was difficult to say when they would be laid before the House, and as hope deferred made the heart sick, he should be, perhaps, excused if he referred to them briefly on the present occasion. A noble Lord who addressed the House a few evenings ago spoke of the apprehensions with which the position of Russia in Armenia ought to be viewed; and it was self-evident that with the possession of so strong a position as the Quadrilateral in Asia Minor she could in that locality do anything she pleased and go wherever she liked. And in case we should have any doubts as to Russian designs in the East, she was kind enough to explain the matter clearly. Now, Russia said that to enforce order in Asia Minor, as well as to protect the Christians against the Kurds, reforms would have to be carried out under the surveillance of a Russian Commissioner. That was plain speaking—of that declaration he who ran might understand the meaning. Turkey was asked to do under the surveillance of a Russian official that which it might be impossible for her to do; and then, when the opportunity arose, one of those Commissioners had only to report that the reforms were not being effected, and that would afford Russia a pretext for moving in any direction she might think fit. He was glad to hear the question of the admission of Greece into the Conference referred to. He hoped she would be admitted, and that her rights would be attended to—Greece had undoubted claims; and it was pitiable to see the anxiety she showed towards the end of the war; how she ran about trying to kill somebody before it should be too late, knowing very well that, under the new reign of disorder that governed Europe, the best chance she had of obtaining admission to the Conference was to knock at the door with fingers that left blood-stains behind. It appeared to him that in giving effect to her claims lay the best chance of curtailing that New Bulgaria of which their Lordships had heard so much. It was, it seemed, to extend to the Ægean, and to include the port of Kavala, which was, he believed, well adapted for a naval station and arsenal. Bulgaria was further to be occupied by a large number of Russian troops, and if the tribute which was to be exacted from Turkey was not punctually paid, Russia would have such a hold on the Province that it was needless to say it would soon become more or less Russianized. He would merely add that if Russia were to be permitted to have a naval station in the Mediterranean, our position as to the Straits would be completely changed, and our flank would, as it were, from a military point of view, be completely turned. In a commercial point of view the Straits would be as valuable to us as ever; but from a military point of view, should Russia obtain the station he had mentioned, the position would be completely reversed.

The Duke of ARGYLL said, he would not have taken any part in the discussion but for one or two remarks which had been made by the noble Earl who had just sat down. The noble Earl had alluded very fairly as to the difference of opinion which existed in that House as to whether the Treaties of 1856 and 1871 had or had not been violated by Russia or some other Power. But he then went on to say that, whatever might be their Lordships' opinion as to the beginning of these matters with regard to these Treaties, it was quite certain, that they might be violated, and would very probably be violated, by Russia; and he went on to specify cases in which there might be such an infringement of its provisions. Now, he quite concurred with the noble Earl in thinking that it was quite possible—he hoped it was not probable, nor did he believe it was—that Russia might have entered into some understanding with the Porte, the carrying into effect of which would be a violation of those great European interests which the Treaty of 1856 was intended to guard. It was conceivable that Russia might have made some stipulation with regard to the entrance of the Dardanelles and the Bosphorus, which was a question undoubtedly affecting European and British interests, and one to the importance of which the Government had shown that they were perfectly alive. But the noble Earl then went on to say that the Treaty of 1856 would undoubtedly be violated if Russia were to refuse to submit to the Congress the whole of the Treaty into which she had just entered with Turkey and every part of it. Now, that is an observation to which he desired to refer. He had no question to ask the Government—it seemed to him a very inconvenient time to do so. The Government had, he thought, said all that a Government were bound to say on the subject. They had told the House all—not that it wished to know, but all that it need know, of the state of affairs; and he was bound to add that he was satisfied with the language of the Secretary of State for Foreign Affairs. He (the Duke of Argyll) did not, however, understand his noble Friend, or the Representative of the Government in "another place," to have laid down the exact proposition of the noble Earl. He understood the Government to say that they had a right to know what the Treaty between Russia and Turkey was, to prevent the discussions at the Congress from being nugatory and absurd; but he did not understand them to maintain that beyond that Russia was to enter the Congress and to declare that every one of the stipulations of the Treaty was to be disposed of as the Congress thought fit. That, however, was the view the noble Earl put upon the matter, and the same view had been extensively adopted by the Press of this country. Now, he would just ask this one question—would it be reasonable to say to Russia, who had sacrificed 100,000 men in the late war, besides a very large amount of treasure, that she must enter into the Congress, and that the whole result of that war was to be disposed of by the majority of the Congress? Nobody had said that that ought to be the result; but that interpretation had been put upon language which had been used; and he desired to take the opportunity of saying that the demand was, in his opinion, one to which Russia could not reasonably be expected to assent. She had gone to an enormous expenditure of both men and money for what she considered legitimate objects, and she had a right to secure the objects for which she fought. And all he understood the Government to say was, that they insisted on being assured that there were no secret engagements in the background, and that Europe had a right to see that none of them were injurious to itself. That was a fair and legitimate demand; but it was not to be supposed that all the results of the war were to be rendered nugatory. There was a part of the speech of the noble Earl to which he wished to direct attention, and that was the language he had used with regard to Armenia. Englishmen in general were much more jealous of Russian acquisitions in Asia than in Europe; and though the Government apparently kept silence on the subject of Asia, it was evident that that part of the question excited at the present moment the most jealousy. Now, the Blue Books recently presented to Parliament, show that no part of the Turkish Empire was more abominably governed than Armenia—it was simply a chaos and a scandal. The noble Earl had said that Russia was imposing certain conditions on Turkey which she would not be able to fulfil with respect to the government of Armenia. That meant that Turkey could not fulfil the most ordinary conditions of good government. As to European Turkey, they must either themselves take the protection of the people, or suffer Russia to do so. His noble Friend behind him had expressed his hopes for the future of Turkey; and certainly, it was just conceivable that, with a considerable Empire still left to her in Asia, she might, by means of her Army, if she were independent, be able to maintain order in that country. That might possibly be the case; but it was an intolerable thing that Europe should profess herself regardless of the manner in which that great Province of Asia was governed, and should prohibit all precautions and measures tending to its good government. Some other policy ought to be suggested; but he found that when noble

Lords spoke on the subject of the East, they treated that point as a thing of nought and wholly unimportant. It was not reasonable that England should take up such a position, and he only hoped that it was not held by the Government. As for the observations of the noble Lord who had introduced the Motion, there was only one point of his speech which was new to him, though he was bound to say that one point deserved consideration. He had said that he had a Report of M. Blanqui, who had been sent by France to inquire into the condition of European Turkey in the years 1833 and 1841—according to which Report, bad as the condition of the Christian Provinces was now, it was far worse under the Russian Protectorate—the Protectorate of Russia was as useless as that of the rest of Europe. He agreed in thinking that those nominal Protectorates were no better than humbugs. Protectorates of that kind were of no value whatever; and, for his part, he was confident that the good government both of European and Asiatic Turkey was dependent on the autonomy of her Provinces under decent government. The proposition made by the noble Marquess (the Marquess of Salisbury), at the Conference of Constantinople, of a European guarantee in the selection of governors would have been almost sufficient, as the appointment of good men under the sanction of the European Powers would have gone a good way to cure the evils complained of.

THE EARL OF DUNRAVEN wished to say that the noble Duke had not quite appreciated the purport of his remarks. If the preliminary contained Articles that did not affect European nations other than the belligerents, there could be no necessity for discussing them; but he certainly thought that every part of the Treaty between Russia and Turkey ought to be laid before the Congress, otherwise the Congress would be unable to judge which Articles affected the rest of Europe and which did not.

THE EARL OF DERBY: My Lords, I hardly know whether your Lordships will expect or desire me to address the House, for I quite agree with the noble Lord opposite, that as matters now stand, the present is not a convenient time for a general discussion of Eastern Affairs; and, I may add, even if the moment were more suitable, I should feel considerable difficulty, remembering the conversation of the last two hours, in knowing which are the points on which an answer is expected or desired. I do not think that the noble Lord who brought forward the Motion will wish me to follow him through his long historical retrospect—especially as, with the utmost care I could give to it, I am not able to ascertain very clearly what the object of that retrospect was. The noble Lord, indeed, told us little that was new; and I am only repeating the observations of the noble Earl opposite (Earl Granville), when I say that the points he enumerated have long since been considered by the Government. For instance, the noble Lord spoke of the state of readiness of the Army; and I only echo the statement of the noble Earl when I say that, with regard to military preparations and precautions, they are, for the most part, those which the Government on their own responsibility have long since undertaken. The noble Lord thinks that we ought to have some portion of our Army in a state of preparation; so that we may be ready in the event of necessity—in the event of any possible contingency—to act either by land or sea. I am able to state that we are in the military position suggested in that respect. The noble Lord spoke of strengthening the garrison of Malta. I cannot give the details, but the garrison was strengthened last year; and I believe there is now as large a military force at Malta as can with any convenience be accommodated there. The proposal that our Fleet should enter the Black Sea is of a very different character, and I think your Lordships will see there are strong and obvious reasons why that step cannot be taken at the present moment. I am sure, also, your Lordships will see that this is a delicate matter to be discussed. Nor will I waste the time of the House by arguing against the suggestion of the noble Lord, who told us there was no reason why the noble Earl the Prime Minister—having nothing to do in his own Department—should not take upon himself, in addition, the administration of the Foreign Office. There is no man to whom I would more willingly hand over the duties of my Department than my noble Friend; but, considering what the duties of our two Departments are, I think the proposal of the noble Lord, that they should be united, implies the official suicide of one Minister, and the physical suicide of the other. The noble Lord spoke of duality, and hinted at differences amongst the Members of the Cabinet. I wish to enter my protest, my Lords, against statements of that kind. If they are founded on anything publicly stated by Members of the Cabinet, no doubt they are perfectly fair matters of inference, and I do not object to them; but when there are no better grounds for them than club-gossip reports and stories floating about London, it is not consistent with the dignity of this House that they should be mentioned in debate. I pass from that, however, and come now to the speech of the noble Lord (Lord Hammond), who was so long connected with the Foreign Office, and whose experience in that Department is so great. The noble Lord touched upon various subjects, and, among others, that of the admission of Greece to the Congress. As a matter of fact, the question has never been raised as to the precise footing on which Greece ought to be admitted to the Congress. There is something to be said in favour of putting the Powers who have signed former Treaties affecting Turkey in a different position from those which took no part in that arrangement. What we have asked is, not that Greece shall be placed necessarily on the same footing as the other Powers, but that she should be represented in some manner, and have an opportunity of making her voice heard. The noble Duke who spoke later in the debate (the Duke of Argyll) said he would reserve his opinion on many subjects on which he had to speak until the terms of the Treaty of Peace were before your Lordships; but he also expressed a doubt as to whether we should soon have them. I believe, as I stated the other night, that they will be in the hands of the Government by Saturday next, and they shall then, with as little delay as possible, be placed in the hands of the Members of both Houses of Parliament. Then the noble Duke raised a very important question, and one to which the attention of the Government is at this moment carefully and anxiously directed, and that is, the conditions upon which England should enter into the proposed Congress. Perhaps the best course I can follow will be for me to state simply, as a matter of fact, what are the opinions expressed by us on that subject. On the 9th of March we suggested, in a letter addressed to the Austrian Ambassador at this Court, that, whilst we had no objection to the change of place for the meeting of the Congress from Baden-Baden to Berlin, we considered it desirable that it should be understood that all the terms of the Treaty of Peace between Russia and Turkey should be discussed in the Congress, and that no alteration of the condition of things previously established by Treaty should be held as valid until they had been considered by the Congress. There was some doubt as to the meaning of that declaration, and I repeated in a letter of the 13th that Her Majesty's Government must distinctly understand before they enter the Congress that every Article of the Treaty will be placed before that Congress—not necessarily for acceptance, but in order that it might be considered which of them would require the acceptance and the concurrence of the several Powers, and which would not. Some communications passed after that expression of opinion, and we have on the part of the Russian Government the declaration that the text of the Treaty will be communicated to the Powers as soon as the ratifications are exchanged. But the further question now arises as to whether it is to be understood that all the conditions of the Treaty are to be placed before the Congress for discussion. I will not now quote to your Lordships from the Correspondence, although it will, no doubt, at no distant day, be laid before Parliament; but the question which we put is this—whether the communication by the Russian Government of the Treaty in its entirety to the Powers shall be treated as placing the whole Treaty before the Congress, in order that its relation to existing Treaties may be examined and considered by the Congress? I have one remark to offer as to the observation made by the noble Duke (the Duke of Argyll) on this subject. The noble Duke said it was not reasonable to expect that the Russian Government, after the great efforts and sacrifices they have made, should place before the Congress all the results they have obtained in consequence of those efforts and sacrifices, and should submit them to the decision of a majority of the Conference. My Lords, no proposal of that kind has been made by Her Majesty's

Government. As a matter of fact, I believe it is the universal rule that in a Congress the matters discussed by the several Representatives are not settled by a majority of votes; no vote is taken. Therefore, there is no question of asking —what I agree with the noble Duke it might not be reasonable to demand—that Russia should submit all those results to the decision of a majority of the Congress. That we do not claim. But we do ask that all the Articles of the Treaty shall be laid for discussion, but for discussion only, before the Congress—because we conceive that in that manner only is it possible for us to decide which of the Articles do, and which do not, affect the European settlement with which we have to deal. We have a certain condition of things established by the Treaties of 1856 and 1871. That condition of things is obviously modified, to a great degree, by the changes now in progress, and the object of the Congress is to give a European sanction and recognition to the settlement that is now to be made. We contend, therefore, that we ought to have the whole of the Treaty before us to be discussed, and not a part of it only. That is the sole question which is at present at issue. I am not prepared to say what answer the Russian Government will give to our demand; but I think your Lordships will consider that the demand itself is reasonable, that it is moderate, and that without such a condition as that which we make, it would be of very little use for the Congress to meet.

Lord CAMPBELL: My Lords, I shall not long detain the House, although, perhaps, some answer is incumbent on me. Let me congratulate my noble Friend on the left (the Earl of Dunraven) upon having once more proved that the terms of Liberal and Russian are not entirely identical. As to the noble Duke (the Duke of Argyll), it is satisfactory to draw from him the admission that a Russian Protectorate of Eastern Christianity has ceased to be the system which he favours. The noble Earl the late Secretary of State (Earl Granville), has revealed in somewhat extraordinary terms, his dissent from the opinions I have advocated. There is nothing to astonish in the fact of that dissent, or even that discrepancy. The noble Earl has more or less encouraged the aggression on the Porte. I have constantly endeavoured to deprive it of its pretexts. The noble Earl has thrown a veil, so far as he could do so, over the character of the new Holy Alliance. I have done my best to drag it into light, before it was too late to counteract it. The noble Earl accepts the late Prime Minister as an oracle or an authority upon the Eastern Question. In common with an immense majority in both Houses of Parliament, confined to no one Party in the State, I repudiate him altogether as a Leader on the subject. Beyond that, the discrepancy between the noble Earl and me was manifested at a far more early stage of these remarkable transactions. When the three Powers opened their design upon the Vassal Principalities, in 1875, I repeatedly adverted to it. The noble Earl opposed all consideration of it until official Papers were produced. When, after a long delay, the Papers were before us, I originated a discussion which had an echo in the world. The noble Earl withdrew himself to Goodwood Races. On Eastern matters, after such a circumstance, your Lordships will not require me to contend at any length with such an adversary. The noble Earl the Secretary of State (the Earl of Derby) judiciously avoided too much expression of opinion on the last precaution I upheld. None at all is called for upon his part. He declared, however, that the greater part of my proposals was anticipated by the Government. What more could be desired? I am not sure whether he consented to produce the kind of Correspondence which the Motion calls for. If he declines to do so upon public grounds, I shall be ready to withdraw it.

The Earl of DERBY intimated that he would be happy to produce the Papers asked for as soon as possible, but he could not do so at the present moment.

Motion (by leave of the House) *withdrawn.*

House adjourned at half past Seven o'clock,
till To-morrow, a quarter before
Five o'clock.

HOUSE OF COMMONS,

Thursday, 21st March, 1878.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Consolidated Fund (No. 2)*; Valuation of Lands (Scotland) Amendment* [124].

Select Committee—Weights and Measures* [111], Mr. Muntz and Mr. Agg-Gardner *added.*

Committee—Roads and Bridges (Scotland) [4] —R.P.

Considered as amended—Threshing Machines* [97].

PUBLIC PETITIONS.

PARLIAMENT — PUBLIC PETITIONS COMMITTEE—FICTITIOUS PETITIONS.

REPORT.

Special Report *brought up*, and read, as followeth:—

"Your Committee having examined the signatures to two Petitions presented from the Working Men and other Inhabitants of Dublin, praying for the rejection of the Sale of Intoxicating Liquors on Sunday (Ireland) Bill, which were presented on the 21st of January last, and purport to bear respectively 600 and 686 signatures, have to inform the House that a clear forgery has been committed, one in each Petition, in the signatures appended thereto; and that in the case of 10 other Petitions, also from the Working Men and other Inhabitants of Dublin, nine of which were presented on the 21st of January last, and one on the 19th of February last, against the same Bill, a certain number of the addresses given with the signatures are either such as do not exist, or they are not the addresses of those persons to whom they purport to belong."

Motion made, and Question proposed, "That the Special Report do lie upon the Table."

MR. MELDON said, it occured to him that a very serious question must arise in this matter for the consideration of the House. As he understood the Report just read, it amounted to this—that the Committee on Public Petitions found that there had been forgeries to this Petition of persons' names who had not signed it. The Committee had also found that a large number of the signatures were fictitious. It appeared to him that some action ought to be taken in the matter, if the facts reported on were substantiated upon fuller inquiry, and that, as a question of Privilege, it could not be allowed to be passed over on the present occasion. The Public Petitions Committee were fettered by reason of not being empowered to take evidence; and he thought the facts should be fully inquired into, and that a Report, that forgeries had been committed, should not be passed over in silence. The proper course would be that some further investigation should be made by the Public Petitions Committee, and all the circumstances and facts accurately ascertained, before any definite action was taken by the House; and, therefore, as an Amendment to the Motion before the House, he would move that the Petition be referred back again to the Public Petitions Committee, that they should be empowered to send for Persons and Papers, and that they should make a further Report to the House. He was afraid that on the present occasion it would not be a proper course to suggest what the definite action should be, and therefore he refrained from making any suggestion. At all events, he thought the Report ought not to be entirely passed over, and he hoped the House would assent to his proposition.

MR. SPEAKER: The Question before the House is that the Report do lie on the Table of the House. If the hon. Member has any Amendment to move upon that Question, he will be so good as to bring it up to the Table.

MR. MELDON, accordingly, went to the Table, wrote an Amendment, and handed it to the Clerk.

Amendment proposed,

To leave out from the word "Report" to the end of the Question, in order to add the words "be referred back to the Public Petitions Committee, and that they inquire into the circumstances connected with the Petitions mentioned in the said Report, and make a Report thereupon to the House,"—(*Mr. Meldon,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR CHARLES FORSTER said, he could not support the Amendment of his hon. and learned Friend (Mr. Meldon), which was not justified by precedent. The Committee on Public Petitions had fully attended to the matter. When the Petitions were submitted to the Committee, they were carefully examined, and the Committee were unanimously of opinion that the proper course would be the one they recommended in their Report—"That the Report should lie upon the Table of the House." He might remind the House that that was the course adopted in a similar case which occurred last year in regard to an irregular Petition from the same place and upon the same subject—Sunday closing in Ireland. On the 8th of June a Report was presented by the Public Petitions Committee stating that a Petition purporting to be signed by 11,245 persons contained numerous fictitious signatures, and the Report was ordered to lie on the Table. The course then adopted was precisely that which was now recommended by the Public Petitions Committee.

Mr. MONK said, his hon. Friend the Member for Walsall (Sir Charles Forster) had done all that lay in his power as Chairman of the Committee on Public Petitions. The Committee had notified to the House that there were certain fictitious signatures to this Petition, and that there were also forgeries in it; and, as he understood the hon. Baronet, a Petition from the same place on the very same subject was presented to the House last year, in which there were also fictitious signatures. If Petitions were to have any weight whatever with the House, it was desirable that the House should take some notice of false Petitions. He did not understand his hon. Friend to say that the House should continue to receive these Petitions without taking any notice of them. If such a course were taken, he thought it would be beneath the dignity of the House to continue to receive Petitions at all. He was, therefore, very much inclined to support the Amendment of the hon. and learned Member for Kildare (Mr. Meldon), although, perhaps, it would be as well to print the Report before the Motion was made; but, whenever a Motion was made for referring the Report back to the Committee, he would support it in order that the Committee might take the necessary steps to ascertain how it was that such a Petition was presented. Before doing so, he thought the House ought to express a very strong opinion in regard to the conduct of persons who got up these fictitious Petitions. Unless the Committee were empowered to send for witnesses, and to examine them in regard to the manner in which these signatures had been attached, no weight whatever would continue to be attached to the Petitions addressed to the House.

The CHANCELLOR of the EXCHEQUER: I think the course which has suggested itself to the hon. Member for Gloucester (Mr. Monk) is clearly the most convenient course for the House to adopt—that is, to allow the Report to lie upon the Table and be printed. It will then be in the hands of hon Members, and the House will be in a better position to decide what ought to be done. I hope that course will be adopted.

Mr. D. M. O'CONOR said, he had no objection to that course being taken, provided that an opportunity would be afforded to hon. Members of discussing the question after the special Report should have been printed. The House must remember that on the last occasion when irregularities of this kind occurred, no opportunity was given to hon. Members who wished to raise the question after the Report was presented, and the Motion for the consideration of the Report was obliged to take its chance of the ballot among the ordinary Notices. The result was, that the Motion was ultimately brought on after 1 o'clock in the morning, when there was nobody in the House, and the consequence was that not a word about it was published in the papers next day. If this debate were adjourned, and the Report allowed to lie on the Table, and a discussion raised which could be brought on at half-past 4, he would be quite prepared to agree to the course suggested by the right hon. Gentleman the Chancellor of the Exchequer.

Mr. NEWDEGATE said, it appeared to him that something had been done which amounted to a breach of Privilege. When they had evidence of the fact fully before them, it would be competent for any hon. Member to bring it forward as a question of Privilege, and in that case the consideration of it would take precedence of all other Business.

Sir WILFRID LAWSON hoped the House would adjourn the debate, and in that case if the Report were printed, every hon. Member would be able to comment upon it. If the Motion for printing it were withdrawn, there would be no such opportunity. He therefore begged to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Sir Wilfrid Lawson.*)

MR. W. E. FORSTER said, the Motion proposed by the hon. Baronet (Sir Wilfrid Lawson) would defeat his own object, because it was moved in substitution of the Motion for printing the Report. Until it was printed the House would have no opportunity forming a judgment upon the matter.

MR. SANDFORD apprehended that when the Petitions and Report were printed, they could be brought forward as a breach of Privilege, provided that Notice was given.

MR. W. H. SMITH: I understand that the Question before the House is an Amendment to the Motion that the Report should lie on the Table. In any case, the Report would be printed in the Votes and Proceedings of the House, and I am under the impression—the Speaker will probably correct me if I am mistaken—that, as a breach of Privilege, it would be competent for any hon. Member to bring forward a Motion on that question at half-past 4.

MR. SPEAKER: The Report now lying on the Table involves a Question of breach of Privilege on the part of certain persons who have forged signatures to a Petition to this House; and, if the debate be adjourned, it would take precedence of all other public proceedings of the House on the day to which it might be adjourned. Therefore, if the debate be now adjourned, the Motion would come on as a Question of Privilege on a future day.

SIR JOSEPH M'KENNA hoped that, under those circumstances, the debate would be adjourned.

MR. KNATCHBULL-HUGESSEN said, the original Motion, as he understood it, was that the Report should lie on the Table; but if the debate were adjourned and the Report did not lie on the Table, he apprehended that there would be nothing before the House.

MR. SPEAKER: The ordinary practice is to print such a Report with the Votes after having been read by the Clerk at the Table. Does the hon. Baronet the Member for Carlisle move the adjournment of the debate?

SIR WILFRID LAWSON: Yes, Sir.

Question put, and *agreed to.*

Debate *adjourned* till *Monday* next.

Ordered, That the special Report be printed. [No. 97.]

QUESTIONS.

INDIA—THE FAMINE—THE CENSUS.

QUESTION.

MR. POTTER asked the Under Secretary of State for India, Whether the Government is in possession of any information as to the result of the partial census recently taken in Mysore and other famine-stricken districts of India, with a view to ascertain the mortality occasioned by the food scarcity; and, if so, whether he is prepared to communicate it to the House?

LORD GEORGE HAMILTON, in reply, said, the Government had no information on the subject; but he believed they would shortly receive some information, in which case he could not conceive that there would be any objection to lay it before the House. The special attention of the Commission appointed to inquire into the administration of famine relief in Mysore and Madras had been directed to this point, as there was some reason to believe that the figures published on the subject were not altogether reliable.

INDIA—FORT GEORGE WATER SUPPLY.—QUESTION.

SIR GEORGE DOUGLAS asked the Secretary of State for War, Whether his attention has been called to the bad quality of the water, supplied to the troops quartered at Fort George, which has been reported as unfit for use as long ago as March 1875, and again in April 1877, when the officer commanding the Brigade Depôt, stated "the water system is very bad and requires instant attention;" whether, in October last, the medical officer, in charge of the troops, did not report

> "that the water was getting worse and worse every day, and was likely to prove dangerous to the health of the troops;"

whether it is true that no steps were taken to procure a fresh supply of water until, on the 1st of November last, two men died of typhoid fever, attributed by the medical officer to the bad state of the water supply, since which water has been carted to the fort; and, if he intends recommending any immediate steps to be taken to procure a proper permanent supply of water for the troops, and so prevent a recurrence of this unnecessary danger to the health of the soldiers stationed there?

Lord EUSTACE CECIL: Sir, the condition of the water supply at Fort George has not escaped the attention of the Secretary of State for War. Up to August, 1875, the supply of water was reported as good and sufficient, and no complaint was made regarding it. In that month, however, it was found to be contaminated with sewage. There is no trace of a medical report of October, 1877, stating that the water was getting worse, and was likely to prove dangerous. It is hardly correct to say that no steps were taken to procure a fresh supply of water prior to November last; for, in 1875, a new well was sunk, but with no better result as regards the quality of the water. The old wells have been deepened and cleaned out, and the result of recent analysis shows that the water from some of the wells after filtration is fit for use. Towards the end of October, 1877, two recruits of the Militia were attacked with enteric fever and died; but the origin of the disease was by no means clearly traced to the bad quality of the water, and no cases occurred among the troops permanently quartered in the fort. Since this time, however, water has been carted to the fort, and this method of supply is still in force. Every endeavour has been made to obtain a good supply of water, and the matter is at this moment engaging the attention of the Royal Engineers.

NAVY—THE "INDEPENDENCIA."

QUESTION.

Admiral EGERTON asked the First Lord of the Admiralty, If it is true that the Government has purchased the Brazilian ship "Independencia," with the armament of Whitworth guns; and, if so, whether the guns will be thoroughly tried?

Mr. W. H. SMITH: Yes, Sir; the Admiralty have purchased the *Independencia,* and it is their intention that her armament of Whitworth guns shall be thoroughly, fairly, and completely tried.

THE EXECUTION ON THE "BEAGLE."

QUESTIONS.

Lord FRANCIS HERVEY asked the First Lord of the Admiralty, Whether, in taking the steps detailed in the papers recently laid upon the Table of the House relative to the execution of a native of Tanna, the officer in command of the "Beagle" was not acting in excess of his instructions; whether, further, he was not inaccurate in reporting that there was no "direct proof" of Mr. Easterbrook's misconduct; and, if he is able to say what were the orders in the execution of which, as represented by Mr. Neilson, the missionary, the lives of nine Tannamen were taken, four of whom were absolutely free from complicity in the death of Mr. Easterbrook?

Mr. W. H. SMITH: Sir, Commodore Hoskins directed Lieutenant Caffin to inquire into the murder of Mr. Easterbrook, and if he considered it was not his own misconduct which led to the commission of the deed, to take the necessary steps for the punishment of the murderer. It would appear that Lieutenant Caffin was not successful in obtaining possession of the actual murderer; but, acting upon his discretion, under the directions he had received, he tried an accessory to the murder and hanged him. I am not prepared to state that in doing so Lieutenan Caffin exceeded his instructions, as I find Commodore Hoskins states that he is disposed to think his proceedings generally deserving of approval. I do not feel myself at liberty to say whether there was or was not direct proof of Mr. Easterbrook's misconduct, as I am unable to say myself what weight should be given to the evidence taken on this subject by the Court. I am not aware that there were any orders which led to the lives of nine Tanna men being taken. We have no information on the subject beyond that it would appear the Natives of Tanna themselves put nine persons to death in their efforts to secure the actual murderer.

Mr. CHILDERS said, he wished to know how soon they might expect to receive the Papers referred to in the Answer of the right hon. Gentleman?

Mr. W. H. SMITH said, that in consequence of the distance of the place from this country, he did not think it possible that Commodore Hoskins could reply in less than six weeks or two months. As soon as the reply had been received and considered by the Admiralty, it would be laid on the Table of the House.

MINING ACCIDENTS—THE KILSYTH EXPLOSION.—QUESTION.

Mr. MACDONALD asked the Secretary of State for the Home Department, If it be correct that the Mine in which the explosion occurred at Kilsyth, N.B., a few days ago, gave off gas freely, and yet, in the Rules exhibited for the proper discipline of the persons employed in the Mine, there was no provision prohibiting the use of naked lights?

The LORD ADVOCATE, in reply, said, that according to the best information that the Government had been able to obtain, this mine, when first opened, gave off gas; but two or three years ago a communication was made with the second shaft, and then safety lamps, which up to that time had been used, were dispensed with, and they were not in use again up to the occurrence of the recent accident. The prime cause of this was reported to be, not an explosion in the mine, but a fire in the down cast shaft, which reversed the air course, and produced one or two small explosions in the mine, the result of which barred the way against 16 men, and prevented them reaching the bank in safety. He had been unable to discern any evidence of explosions in the mine, fatal or otherwise, after the communication with a second shaft was opened. His information was that, since that date, naked lights have been used in the mine, and no case of explosion had occurred.

Mr. MACDONALD gave Notice that he should again ask whether there had not been two previous explosions attended with loss of life?

THE PUBLIC HEALTH, DUBLIN.

QUESTIONS.

Mr. MELDON asked the Chief Secretary for Ireland, Whether his attention has been directed to the following paragraphs of the resolution adopted by the Public Health Committee of the Corporation of Dublin on the 10th of December last, and forwarded to the Dublin Sanitary Association, in reply to their request that the Public Health Committee should join the Dublin Sanitary Association in the application to the Lord Lieutenant of Ireland for an inquiry into the causes of the excessive death-rate of Dublin:—

> "While the Committee cannot join in applying for a sanitary inquiry, they at the same time have no objection whatever to it, and will be happy to co-operate in any way possible with the Commission, should it be appointed. The Committee would be glad if the Sanitary Association will state this in its application for a Commission, should it make such application:
>
> "The Committee think that the Commission, if appointed, should not only inquire into the causes of the high death-rate in Dublin, but also into the best means of abating them. In one way the suggested inquiry might be useful—in awakening public opinion to the necessity of very active and energetic, and, possibly, costly measures being adopted if the mortality in Dublin is to be reduced to a minimum. The hands of the sanitary authority would thus be strengthened. The Committee are most anxious to do everything possible to improve the public health, but frequently find themselves hampered by the want of public appreciation of the necessity of sanitary action:"

whether the Public Health Committee did not assent to and approve of the application; and, whether, having regard to the offer of the Public Health Committee of the Corporation to co-operate in the matter, and to the fact that an unusually severe epidemic of smallpox is raging in Dublin, he is now prepared to reconsider the question of the propriety of ordering such an inquiry to be held?

Mr. GRAY also asked the Chief Secretary for Ireland, Whether his attention has been called to a Report of the Public Health Committee of the Dublin Corporation, dated 28th December, on the death-rate in Dublin, and the application of the Sanitary Association for an inquiry, and containing not merely the first Report of the Association, and the Resolution of the Committee, but further Reports from the Association, and further Reports thereon by the consulting medical officer, and the subsequent Resolution thereon of the Committee, and concluding thus:—

> "Your Committee have now placed before the Council, and through it before the public, the

> fullest information in its power with reference to the important questions under consideration; that the death-rate in Dublin is high there can be no question, but it will be seen that some of the cases are beyond control, others must be dealt with gradually, and your Committee is sparing no exertion to render the city as healthy as possible under the circumstances, and since their last Report your Committee see no reason to apply for or recommend a Commission;"

whether, before putting the public to the expense of printing the Reports as he indicated some days ago he would consent to do, he will inquire if they cannot be had gratis by any respectable person who applies to the Public Health Committee for them; whether they have not been supplied to the Dublin Press; and, whether, if he still decides upon issuing them as a Parliamentary Paper, he will take care that the entire set of Reports, and not merely ex parte portions of them, are given?

MR. J. LOWTHER: Sir, my attention has been called to all these various documents relating to the public health of Dublin, the extracts from which, quoted respectively by the two hon. Gentlemen, I think, sufficiently answer each other without any further detaining the House. I have, therefore, nothing to add to the answer I made the other day except to say that if the hon. Member for Tipperary, or any hon. Member on his behalf, thinks fit to move for any further Papers, I shall be glad to lay them upon the Table, provided they do not assume too voluminous a form.

SHERIFF CLERKS (SCOTLAND)— SALARIES.—QUESTION.

MR. FRASER-MACKINTOSH asked the Lord Advocate, Whether, in view of the discussion on an amendment to the Sheriff Courts (Scotland) Bill of 1877, to the effect that sheriff clerks and procurators fiscal thereafter appointed should not directly, or indirectly, or by others, be permitted to transact any other business for profit wherein he took part, observing—

> "That when it could be done, a sufficient salary would be paid in future which would enable them to give up their private practice. The principle had already been adopted in Glasgow, and wherever it could be applied it would be carried out;"

he will take care in filling up the vacancy in the office of sheriff clerk of Ross and Cromarty, whose late holder confined himself strictly to the duties of his office, that the above principle will be followed?

THE LORD ADVOCATE: Sir, it is exceedingly difficult to give a reply to this Question without making a speech, but I shall endeavour to make it as short as possible. I quite adhere to the opinions I expressed on the discussion on the Sheriff Courts (Scotland) Bill of 1877, though my opinions are not correctly expressed by the single sentence quoted in the Question. I am not satisfied with the statement contained in the Question, as to the performance of the duties by the last occupant; because my information is that, instead of confining himself to the duties of his office, for a long period he was unable even to attend to his private practice; and as to the duties of the office, they were confined to giving his signature to papers. I doubt whether there is work in the office to fill up the time of a single individual, but the adjustment of the salary rests with the Lords Commissioners of the Treasury. They revise it on every vacancy, and they adjust the future payments to the extent and character of the duties to be performed. I am, therefore, unable to give any more definite answer than that which I have expressed.

TURKEY — INSURRECTION IN THE GREEK PROVINCES.—QUESTION.

SIR GEORGE CAMPBELL asked Mr. Chancellor of the Exchequer, If Her Majesty's Government see their way to any arrangement by which the bloodshed and destruction now going on in the Greek Provinces of Turkey may be stayed till their position is considered by the European Congress and effect is given to the administrative autonomy which it is understood that the Porte has already engaged to concede?

THE CHANCELLOR OF THE EXCHEQUER: Sir, all that I can say upon this subject is that it has engaged the anxious attention of Her Majesty's Government, and that we are doing all that lies in our power with the Turkish Government to prevent the operations of war being carried on in a manner inconsistent with the usages of civilized and reasonable warfare, and that we will watch for any opportunity which may occur to enable us to assist in bringing these matters to an end. But I am not able to give any positive information on the subject.

COUNTY GOVERNMENT BILL.

QUESTION.

MR. BOWEN asked the President of the Local Government Board, Whether, in consideration of the near approach of the time for holding Courts of Quarter Sessions throughout the Country, he would postpone the Committee on the County Government Bill until after the Easter recess?

MR. SCLATER-BOOTH, in reply, said, there would be no attempt to make progress in Committee immediately with the Bill.

THE NATIONAL PORTRAIT GALLERY, SOUTH KENSINGTON.—QUESTION.

MR. W. CARTWRIGHT asked the First Commissioner of Works, Whether any periodical inspection in regard to due preservation against fire, as is made once a month by Captain Shaw in the British Museum, takes place in the buildings at present allotted to the National Portrait Gallery, either by Captain Shaw or any other experienced officer connected with the Fire Brigade; whether he will state in detail the precautions provided in this gallery against fire; the number of men always on duty by day and night who would be available in the event of fire; the character, organization, and experience of this force for the purpose of extinguishing fire; under the immediate command of what officer it would have to act if called upon to do so against fire; and, whether the force is set apart exlusively for service in the National Portrait Gallery, or whether it has also general duties to perform in other portions of the Exhibition Buildings?

MR. GERARD NOEL: Sir, the whole of the water-mains and fire-extinguishing appliances in the building in which the National Portrait Gallery is situated are in charge of the officers of the Science and Art Department, and there is a detachment of the Royal Engineers quartered at South Kensington Museum, consisting of a sergeant and 13 men, whose primary duty is to act as a fire brigade. There is also a police night watch engaged on behalf of the Science and Art Department to patrol the buildings during the night, and they are supplied with keys to enable them to pass into the National Portrait Gallery. The fire appliances are examined and reported upon daily, and there is a drill once a-week. There are at South Kensington Museum three resident officers in charge of the above arrangements, one of whom is always on the premises.

RESIDENT MAGISTRATES (IRELAND)—THE WATERFORD MAGISTRACY.

QUESTION.

MR. BLENNERHASSETT asked the Chief Secretary for Ireland, with reference to the recent appointment of Colonel Mollon as resident magistrate at Waterford, Whether that gentleman previous to his appointment at Waterford had acted as a stipendiary magistrate elsewhere; if so, where, and for what period of time; whether it has not hitherto been the custom in Ireland always to appoint as resident magistrates gentlemen under forty years of age, and whether Colonel Mollon had not attained the rank of lieutenant colonel twenty years ago, and is not therefore, presumably, considerably above that age; whether Waterford is not from its importance as a city and seaport a station hitherto given to magistrates of long service and experience; and, if he will state the names, dates of appointment, and length of service of the resident magistrates in Ireland, if any, who applied to be transferred to Waterford when the vacancy occurred which was filled by the appointment of Colonel Mollon?

MR. J. LOWTHER: Sir, Colonel Mollon, C.B., who is an officer of distinguished military service, and who, I understand, took a leading part as a county magistrate a few years ago in Ireland, acted as stipendiary magistrate in the West Indies and the Bahamas for a year and for about two years at Gibraltar previous to an exchange being sanctioned between him and Mr. Byrne, one of the resident magistrates in Ireland. It has, I believe, been the custom to appoint gentlemen under 40 years of age, in the first instance, to the office of Resident Magistrate. Colonel Mollon was no doubt over that age at the time of his transfer from his Colonial appointment to his present post; but the hon. Gentleman will observe the distinction between the transfer in question and an entirely new appointment. Colonel Mollon's experience at the important seaport of Gibraltar was considered a special qualification for the office he now holds at Waterford. With regard to the last paragraph of the hon. Gentleman's Question, it would not be in accordance with the usual practice or, I think, in the interest of the public service if I were to enter into the details indicated.

EDUCATION CODE, 1878, ART. 17 (G).—EDUCATIONAL RETURNS.—QUESTION.

Mr. P. A. TAYLOR asked the Vice President of the Committee of Council on Education, Whether the insertion of the words "or by Parliament" in Art. 17 (g) of the Education Code now lying upon the Table, preclude the idea of teachers being paid for the Annual Return required by Regulations of 9th February 1877, relating to Education Act, 1876; and, if it be intended that managers, and not teachers, should be responsible for furnishing the Return, why are teachers who refuse to draw up the Return threatened with loss of certificate?

Viscount SANDON: Sir, the insertion of the words "or by Parliament" does not preclude teachers from being paid for the annual Return alluded to by the hon. Member. These words were introduced to assist the Department in obtaining from school boards and school managers answers to Returns ordered by Parliament, which the Department has found great difficulty in securing in previous years, and in some cases were only able to obtain by threatening to withhold the annual grant unless the Order of Parliament was obeyed. With regard to the second part of the Question of the hon. Member, teachers are not threatened with a loss of certificate if they refuse to draw up the Return he alluded to; but if they decline to make an entry from the school register, so as to give the parent the certificate of the age of his child, the certificate of school attendance, or the certificate of proficiency, to which he is entitled, in the first instance without payment, under the Education Act of 1876; or if they make a charge for such an entry when such charge has not been sanctioned by the Department. It was found necessary to make this regulation in order to fulfil the stipulation in the Act of 1876, to which Parliament during its passing attached great importance, that the parent should not pay for the certificates which are needed to enable him to send his child to work, and also because in former cases—for example, under the Agricultural Children's Act—teachers were found to make excessive charges to parents for certificates, in some instances demanding 2*s.* 6*d.* for the information which the parent was obliged to require under Act of Parliament. I am glad to have had the opportunity of removing the misapprehension which appears to have existed on the subject.

ARMY — THE DEFENCES OF THE CLYDE.—QUESTION.

Mr. JAMES STEWART asked the Secretary of State for War, Whether he can give an assurance that full consideration has been bestowed on the means to be adopted for the defence of the Clyde in case of war?

Lord EUSTACE CECIL: Sir, full consideration is being bestowed on the means to be adopted in case of war. There are two batteries on the Clyde—one at Fort Matilda and the other at Dumbarton Castle. The former mounts three medium rifled guns and one 80-pounder, and the latter two 64-pounders. Submarine mining stores have been provided on the Vote of Credit.

THE INDIAN BUDGET, 1878-9.

QUESTION.

General Sir GEORGE BALFOUR asked the Under Secretary of State for India, If he will, as early as practicable, lay upon the Table an explanatory Memorandum of the Budget details of Revenue and Expenditure of India, as recently reported by telegram; also a Statement of the alterations in the Tariff, with the calculated amounts remitted under the several articles; the addition thereto; and a Copy of the Minute of Lord Lytton, the Viceroy, about Public Works?

LORD GEORGE HAMILTON, in reply, said, he would be glad to give any information as to the Indian Budget; but, as they had only recently received the details, they could not give other information at present than that published in the newspapers.

EDUCATION CODE, 1878, ART. 19.

QUESTION.

MR. A. MILLS asked the Vice President of the Council, Whether the Government will consider the expediency of modifying the regulations of the New Code (Article 19), relating to certificates of birth, by which considerable extra labour is cast on teachers, and expense on parents of children in elementary schools; and, whether the objects of sections 24 and 25 of the Act of 1876 might not be attained by requiring certificates in those cases only in which the age or proficiency of any child is required to be ascertained and proved for the purposes of the Elementary Education Acts?

VISCOUNT SANDON: Sir, in accordance with the Circular which we issued to all local school authorities at the beginning of this year, we propose shortly to lay on the Table of the House a Minute modifying the regulations which were issued with respect to the certificate of birth which is ordered to be entered in the Child's School Book. We hope to issue this very shortly; but I may remind my hon. Friend that no action disadvantageous to the schools can be taken upon the former regulation before May or June next, so that there is ample time for considering the modified regulation. With respect to the second part of the Question, I can assure my hon. Friend that the Child's School Book was considered carefully before it was determined upon; and, as we find that it is highly valued by those who have the greatest experience in school matters in all parts of the country, including most of the leading school boards; and, as we have no reason to believe that it will be a matter of great convenience hereafter both to the parents of the children, to the children, and to the employers of labour, I cannot hold out any expectation of being able to make any change with regard to it, beyond removing the difficulties which undoubtedly exist as to the certificates of birth.

THE EASTERN QUESTION—CIRCULAR REMONSTRANCE OF PRINCE GORTCHAKOFF (1856).—QUESTION.

CAPTAIN PIM asked the Under Secretary of State for Foreign Affairs, If he has any objection to lay upon the Table the Circular Remonstrance of Prince Gortschakoff, issued about the end of 1856, against interference with the King's management of the internal affairs of Naples, on the ground that "Sovereigns are equal among themselves," and that any such attempt,

> "by threats or by a menacing demonstration, is a violent usurpation of the King's authority, an attempt to govern in his stead, an open declaration of the right, of the strong over the weak?"

MR. BOURKE: Sir, there is no doubt that the document to which the hon. and gallant Member alludes is in existence, and is to be found among the records of the year 1856, as well as in some of the journals of that period. But it is not usual, nor would it be convenient, to lay a document so ancient upon the Table, referring, as it does, to circumstances which do not seem to have any immediate relation to the present state of affairs. In these circumstances, the Secretary of State for Foreign Affairs does not think it desirable that it should be laid on the Table of the House.

THE EASTERN QUESTION — THE FLEET IN THE DARDANELLES.

QUESTIONS.

MR. WATKIN WILLIAMS asked Mr. Chancellor of the Exchequer, Whether he can, without inconvenience, inform the House what British ships of war are at present in the Straits of the Dardanelles and in the Sea of Marmora; whether it is true that their passage through the Straits was made under protest from the Porte; and, whether, in view of the ratification of a Treaty of Peace between Russia and Turkey, Her Majesty's Ministers propose to retain the British ships of war in the Sea of Marmora?

LORD ELCHO: Before the right hon. Gentleman answers the Question of the hon. and learned Member, I wish to put to him another. I should like to ask, Whether the right hon. Gentleman considers that the cause of peace and our interests in the East are likely to be promoted at the present time by Questions such as that just put by the hon. and learned Gentleman?

THE CHANCELLOR OF THE EXCHEQUER: It certainly is the case, Sir, that at the present moment, while negotiations are going on with a view to the meeting of the Congress, it is desirable that unnecessary Questions should not be put to Members of Her Majesty's Government. It is quite clear that an incautious word, or even, at times, a request that a Question should not be put, might produce an effect which would be inconvenient and embarrassing. With respect to the Questions of the hon. and learned Gentleman, as to two of them there can be no particular inconvenience in answering, because they have long since been answered. With regard to the number of British ships within the Straits of the Dardanelles and the Sea of Marmora, that is a matter which is perfectly well known to the public and has been mentioned in this House more than once. There are four iron-clads now in the Gulf of Ismid and two at Gallipoli; and, besides, there are seven smaller vessels in different parts of the Sea of Marmora and the Black Sea. [General Sir GEORGE BALFOUR: The Black Sea?] Well, cruising at the Sulina mouth of the Danube. With respect to the Question—"Whether it is true that their passage through the Straits was made under protest from the Porte," I stated in this House on the 14th of February last the circumstances under which the ships went up, and I mentioned the nature of the protest made at the same time, and I do not exactly understand why the Question should be repeated. With regard to the last Question, I stated the other day that Her Majesty's Government did not see any reason against retaining the ships of war in the Sea of Marmora. If there is no advantage to be derived from putting Questions of this sort, and unless there is some special reason for doing so, I trust that hon. Gentlemen will abstain from putting them. I wish to make one observation in respect of a Question on the Paper, of which the hon. Member for Gloucester (Mr. Monk) gave Notice, as to—

> "Whether any of the Great Powers besides Great Britain have demanded that all the points of the Treaty of Peace should be submitted by Russia to the Congress for discussion and revision?"

I have to say that the arrangements under which the Congress is to meet are now the subject of discussion among the various Governments, and that it would really be very inconvenient to enter upon that matter now.

MR. MONK: Sir, after the appeal just made by the right hon. Gentleman the Chancellor of the Exchequer, I will not put the Question which stood in my name.

NAVY—ROMAN CATHOLIC CHAPLAINS.—QUESTIONS.

MR. NEWDEGATE asked the First Lord of the Admiralty, In what form and when he will submit to the House the additional provision for Roman Catholic Chaplains to be employed in connection with the Navy which he is understood to contemplate?

MR. W. H. SMITH: Sir, I intend to lay an Admiralty Minute on the Table of the House before I proceed with the Votes. We have Vote 6 and 10 in the Estimates yet to be voted.

MR. NEWDEGATE: When will the Admiralty Minute be in the hands of Members?

MR. W. H. SMITH: Sir, the question requires careful consideration, and some little correspondence with officers at present employed with the Fleet. It will probably be two or three weeks before the Minute is laid on the Table; but the next Estimate will not be taken until this information has been furnished.

EXECUTION OF A NATIVE OF TANNA.

QUESTION.

MR. A. M'ARTHUR asked the Secretary of State for the Colonies, Whether he has received any information concerning the execution of a native of Tanna by the commander of H.M.S. "Beagle," and, if so, would he include it in the additional Correspondence to be laid before Parliament?

SIR MICHAEL HICKS-BEACH: Sir, the despatches mentioning this execution have just been received from Sir Arthur Gordon; but, as at the time of writing he had evidently not received the official information on this subject contained in the Papers recently presented to Parliament, I think there would be no advantage in presenting them.

INDIA—THE MAHARAJAH SCINDIAH.

QUESTION.

MR. O'DONNELL asked the Under Secretary of State for India, Whether it is true that on the occasion of the Delhi Assemblage His Highness the Maharajah Scindiah, when paying his visit to the Viceroy, was kept waiting outside the Viceroy's tent for nearly an hour previous to admission; and, whether it is true that no explanation has since been rendered to His Highness?

LORD GEORGE HAMILTON: Sir, we have no official information upon the incident referred to; but as I know from an authoritative private source what occurred I have no objection to state it. At the Delhi Assemblage Lord Lytton had in the space of two days to call upon and return visits from upwards of 200 of the Native Princes and Nobility. Every precaution was taken to prevent the Native Princes from being kept waiting; but, by some unforeseen accident, Maharajah Scindiah and some others were kept waiting an hour. As Scindiah was unwell upon that day the delay was doubly annoying to him, and on coming into the Viceroy's presence, though perfectly courteous, his demeanour indicated some annoyance. Next day Maharajah Scindiah spontaneously gave an explanation, which was at once accepted by the Viceroy, and upon the declaration of Her Majesty's title, Scindiah was the first to reply, and thus led the Royal response of the other Chiefs to the Viceroy's address.

NAVY—CASE OF MR. JOHN CLARE.

QUESTION.

MR. O'DONNELL asked the First Lord of the Admiralty, Whether the Government is prepared to refer to a Committee of Members of this House the claims of Mr. John Clare to compensation for the alleged appropriation by certain Admiralty officials of his designs for the construction of iron-ships of the "Warrior" type of iron-clad?

MR. W. H. SMITH, in reply, said, he was not prepared to do anything of the sort. The case of Mr. Clare had been fully gone into by two of his Predecessors, and he saw no reason for further inquiry.

INDIA.—THE LICENCE TAX ACT.

QUESTION.

MR. O'DONNELL asked the Under Secretary of State for India, Whether it is true that the Calcutta Government have declined to exempt the incomes of artizans and operatives earning only ten pounds a-year, or less than four shillings per week, from taxation under the Licence Tax; whether it is not a fact that though professing to be only a licence tax, or tax upon callings, the new impost is aggravated according to amount of earnings, and thus combines the features of a tax upon incomes with the general character of a licence tax; and, if this be the case, what precautions the Government have taken to protect the poor people rated according to difference of earnings from extortion at the hands of the police?

LORD GEORGE HAMILTON, in reply, said, that the hon. Member for Hackney (Mr. Fawcett) had given Notice of a Motion for

> "Copies of all the Acts recently passed by the Government of India imposing new taxation in India for the year 1878-9;"

and as that Motion would not be opposed, the hon. Member for Dungarvan would obtain from that Return all the information he desired. He must, however, say that it was true that the minimum income liable to taxation under the Act was 100 rupees, and that the Government had vested the whole administration of the Act in the hands of the Collectors.

PENAL SERVITUDE COMMISSION—FENIAN CONVICTS.—QUESTION.

MR. RYDER asked the Secretary of State for the Home Department, Whether there is any truth in the statement that the Penal Servitude Commission intend to hold an inquiry into the alleged ill-treatment of Fenian convicts at Spike Island, and have requested Mr. Michael Davit to give evidence as to the alleged treatment in English prisons?

MR. ASSHETON CROSS, in reply, said, he had written to the Secretary of the Penal Servitude Commission in reference to the subject-matter of the Question of his hon. Friend, but had not as yet received a reply. He had been informed, however, by a Member of the Commission, that there was no foundation for a paragraph in reference to the question which had appeared in the newspapers.

ORDERS OF THE DAY.

ROADS AND BRIDGES (SCOTLAND) BILL—[Bill 4.]

(*The Lord Advocate, Sir Henry Selwin-Ibbetson.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*The Lord Advocate.*)

Colonel ALEXANDER said, that in rising to move his Amendment, that the House do resolve itself into the said Committee on that day six months, he was fully sensible of the disadvantage under which he laboured in opposing a Bill introduced by the Government and recommended on two separate occasions in the Speech from the Throne. But necessity had no law; and when he found the bulk of his constituents on the one side and the Government on the other, he could have no hesitation as to the course which it was his duty to pursue. It might be asked why did they not last year oppose the Bill which proceeded upon almost identical lines? Well, he confessed his error in that respect. He had followed a practice which he feared was too common in the House—intimating his intention of voting for the Bill, and at the same time making a speech against it. But if he erred, he at least erred in good company, and if he remembered aright, the hon. and gallant Admiral (Sir William Edmonstone) had very little to say in favour of the Bill. But he knew that on that occasion they committed a great mistake, because they gave the Home Secretary the opportunity of saying that Scotland, with scarcely a dissentient voice, had pronounced in favour of the Bill. Now, considering that he had recently presented to the right hon. Gentleman a strong Memorial from his constituents praying to be exempted from the operation of the Bill, and also numerous Petitions from Commissioners of Supply and Road Trustees in various districts, the House would see that he had no alternative but to protest against the Bill, or, at least, against its application to the county he had the honour to represent. He was fully aware that any opposition it was in his power to offer would be perfectly futile against the Government, which could command the support not only of the majority of Members sitting on that side, but could also look for considerable support from hon. Gentlemen opposite. Last year the hon. Gentleman the Member for Edinburgh (Mr. M'Laren) had taken it upon himself to say that he (Colonel Alexander) did not represent the opinions of his constituents upon that point, and remarked that he preferred the opinion of Sir James Fergusson, who formerly represented the county in that House. He need scarcely say that he had the highest respect for Sir James Fergusson, who was a most eminent man; but there was in this instance no reason why the opinion of Sir James Fergusson should override the opinion of the smallest ratepayer of the county of Ayr, and he was sure that the right hon. Baronet would be the last to wish that such should be the case. He was in a position to prove that on this question Sir James Fergusson did not represent the opinion of the county. When at the annual county meeting it was proposed to oppose the Bill, Sir James Fergusson had proposed an amendment, which fell to the ground for want of a seconder. This was pre-eminently a question of local taxation; and he was really surprised that a Government—of which the hon. Baronet the Member for South Devonshire (Sir Massey Lopes), was a Member who had identified himself with every movement for the relief of local taxation, should endeavour to force upon a county unwilling to receive it a measure which would have the effect of trebling the assessment of the proprietors of lands and heritages in the county which he (Colonel Alexander) represented. Last year the Home Secretary had expressed his satisfaction at the favour with which his Bill was received; but he (Colonel Alexander) thought that the right hon. Gentleman was thankful for very small mercies, because, with the exception of the hon. Baronet the Member for Peebles

(Sir Graham Montgomery), who certainly expressed unqualified approval of the Bill, all the right hon. Gentleman's supporters damned his Bill with the faintest possible praise. Then the hon. Member for Glasgow (Mr. Anderson) admitted that the Bill was an alteration in the incidence of taxation, and that it would alter the old plan under which those who used the roads paid for them; and it was precisely because it would have that effect, and would impose heavy burdens upon those who made little or no use of the roads, that he had the strongest possible objection to it. Here they would have the highest assessment and the worst roads, and he was credibly informed that in those places where the tolls had been abolished, the assessment was only kept down by starving the roads. He would ask, was there no middle course between the abolition of tolls and the imposition of assessments? There was a course which was recommended by the Commission of 1859, of which both the hon. Gentleman the Member for Edinburgh (Mr. M'Laren) and Sir James Fergusson were Members—he meant the Consolidation of Trusts. The Commissioners said that irrespective of a change from tolls to assessments, the existing system was capable, at least, of important modifications, and that much of the expense which was now imputed to tolls was not fairly chargeable to the system. He agreed with the Commissioners that the evil was attributable principally to the number of small trusts with separate accounts, separate funds, separate management, and separate sets of officials. For instance, they found that in one county there were no less than 11 trusts over 133 miles of road, giving an average of 12 miles for each trust, and in three cases the mileage was much less. Then each district had a separate clerk and treasurer; and, not only were the funds of each district kept separate, but the funds of each road were kept separate, so that for a road passing through three districts it was necessary to keep three separate accounts. Now, that was an evil that might be remedied by the consolidation of trusts under one management, and by a uniform rate of toll levied at each bar, and with no toll leviable oftener than once in six miles. A great deal had been said about the inequality of tolls; but the Commissioners had said that inequality must exist in any mode of taxation, and that complaints of inequality must arise in reference to any plan that was proposed as a substitute for tolls. In reference to what had been said as to the expense of collection by tolls, they must remember that the Commissioners had also said that the expenses of collecting revenues by means of tolls were often greatly exaggerated. For instance, in the county of Mid-Lothian, where the tolls were in the hands of the trustees, the cost did not exceed 10 per cent. In the end, the Commissioners were obliged to fall back upon the sentimental objection of what was called the inconvenience of making small payments. These objections were made by people who, in the slang of that luxurious age, talked about the "awful bore" of having to pay tolls. He might state certain broad principles upon which he based his opposition. Many of his most influential constituents objected to part of the scheme for the extinction of debt. They said it would alter the whole incidence of the taxation, and that under that system a solvent road would be called upon to pay for an insolvent one. Then, again, they asked—should an occupier who now by payment of tolls contributed to the extinction of debt be entirely relieved from that burden? In the county of Edinburgh, in the course of a few years, a debt of £98,000 was reduced to £9,000, by money which occupiers equally with proprietors contributed. He did not see why they should reverse that system, and throw the burden entirely upon the proprietors. It was also shown that under this Bill the amount of taxation that would be thrown upon burghs would be absolutely ridiculous. It was shown by Returns that about £20,000 was required annually for the maintenance of roads and bridges in the county of Ayr, whilst only about £1,000 was required in the burghs. It followed, therefore, that the sums the burghs would have to contribute would be absolutely inappreciable. It was idle to talk about the unanimity of Scotland in favour of this measure. The Commissioners said that in their opinion any resolution to adopt a system of assessment should only be arrived at at a general meeting of the whole county, especially convened for that purpose, with the view of affording to persons interested an opportunity of objecting to the proposal. Why, in the face of these recommendations, was this legislation forced upon an unwilling county? The only reason suggested for the introduction of the measure was the fancy for so-called "uniformity," and to avoid the anomaly of having a system of tolls in one county and an assessment in another. The Commissioners ridiculed that objection. They said that the anomaly existed already, and that the case of the few persons who paid toll in one county and assessment in another was not worth consideration. He was not greatly enamoured of permissive legislation; but, with regard to roads in Scotland, it had been most successful up to the present time, and he did not see why any change should be made. Why did the county of Wigtown adopt a system of assessment, while the neighbouring county of Ayr faithfully adhered to the system of tolls? Simply because the circumstances of the two counties were totally and entirely different. One county was pastoral; the other was what the hon. and gallant Baronet the Member for Stirlingshire (Sir William Edmonstone) had called a composite county. Ayrshire was partly pastoral, partly agricultural, and partly mineral; and it had not followed the example of its neighbour of Wigtown, because it was not its interest to do so. The pastoral tenants made very little use of the roads, but transported all their cattle by the railways. It was the same with the mineral tenants, who had private railways of their own. But his main objection to the Bill was that it would treble the assessment to be imposed upon lands and heritages in the county which he represented, and any Bill which did that stood self-condemned. Not to use strong language, he would merely say that under the Bill taxation would be most unjust and unequal in its incidence. Two years ago he formed one of a deputation to the Home Secretary on this question of the abolition of tolls, and the right hon. Gentleman then told them that tolls were condemned, that they were out of harmony with the spirit of the age; and he pointed to the example of England, where, he observed, the tolls were being gradually abolished. Since that time the right hon. Gentleman must have changed his mind; for his Colleague had introduced the County Government Bill, in which power was reserved for the re-imposition of tolls, and the re-erection of toll-bars; so that, instead of tolls being gradually abolished in England, it would appear that they were being gradually restored, and the reason given was the difficulty created by the exceptionally heavy traffic in the immediate neighbourhood of large towns. He paid some attention to the debate on the County Government Bill, and with the exception of the noble Lord the Member for the North West Riding (Lord Frederick Cavendish), every speaker pointed out the great inconvenience that must result from restoring tolls where they had once been abolished, and that some means must be devised of escaping from the difficulty. His prescription for Scotland was very simple. If they did not get into the difficulty, they would not be put to the trouble of getting out of it. Do not let them abolish tolls, and then they would not have the trouble and difficulty of re-establishing them. So far from the abolition of tolls being popular in England, he could prove out of the mouth of the President of the Local Government Board, that the very reverse was the case. On the 19th of July last year, the President of the Local Government Board, in reply to a Question of the hon. Member for South Shropshire (Mr. Severne), whether there was not dissatisfaction at the continually increased charges thrown on the rates in rural districts by the abolition of turnpikes and the unequal incidence of these burdens, stated that the Government were very well aware that in several of the rural districts, a growing feeling of dissatisfaction had arisen at the increased charges thrown upon the rates by the abolition of turnpikes. He, therefore, begged the Government very respectfully, but very earnestly, to reconsider this question, and to substitute for compulsory, permissive, legislation. If they did so, he could promise them the lasting gratitude of the county which he had the honour to represent. The last Government was accused, and, in his opinion, accused rightly, of introducing a great deal of unnecessary legislation. He begged the present Government not to follow that bad example, but to abstain from legislation where it was not required and was not desired. The hon. and gallant Gentleman concluded by moving the Amendment of which he had given Notice.

MR. M'LAREN, in seconding the Amendment, said, he heartily approved of the Motion which the hon. and gallant Gentleman (Colonel Alexander) had submitted, although the course which he pursued and the arguments which he had used were not those which he would use, or the opinions which he held. He thought the Bill as it now stood a very bad one, and that the best thing they could do would be to reject it altogether. It was a thing of shreds and patches, with nothing that they could call a general principle running through it. Reference had been made to the Royal Commission which sat on this subject; and, as he was a Member of that Commission, he might say that the principle they recommended was a very simple one—that the Bill should come into operation at once, and that every burgh and county should support the roads within its own boundaries. Nothing could be more simple than that recommendation. The Commissioners did not recommend any delay; but, in point of fact, a delay of 17 years had taken place. The Commission was appointed by a Conservative Government, and the Liberal Government who followed them in office fought shy of the subject, declaring on certain occasions that the Commission was none of theirs. Since that time he was afraid to say how many Bills had been introduced. But one was brought in, two years ago, by which turnpikes were to come to an end after five years; and yet this Bill would not come into full operation for nine years from August next. Surely that was a most extraordinary proposition. In fact, the whole turnpike system of Scotland was strangely managed. In England, every Turnpike Bill for renewal came before the House, and there was an opportunity of considering whether it was required or not; but as to Scotland, no such process took place—a Bill of a single clause was passed continuing all the expired Acts for a year. This process had been going on for a very long time, some of the Scotch Turnpike Acts having expired 40 years ago had thus been continued; yet the public never had an opportunity of expressing their opinion on the injustice of this treatment. It had been urged that the trusts in each county should be consolidated; but, in the county of Mid-Lothian, there had been only one trust for the last 40 years, and how could they consolidate that? The same remark applied to other counties—and, in fact, the consolidation suggestion of the Royal Commission was merely a remark by the way that some good might be done in that direction. By the present Bill it was proposed to continue all the Acts for nine years, and to the end of the next Session of Parliament—that was, till August 1888, unless "in the meantime Parliament otherwise provides, or this Act shall be adopted." Who was to decide whether this Permissive Bill was to come into operation or not? By the Permissive Bill, with which they were all familiar, the ratepayers gave their votes; but in this Bill no such power was given to the people generally. They had no power whatever. The landed interest was to decide, for the decision rested entirely with the Commissioners of Supply. The tenants complained that the present system relieved the land of burdens which it ought fairly to bear, yet those landowners were to decide whether the new system was or was not to be adopted. It was like proposing that Bulgaria should obtain a good system of government when Turkey chose to give it her. Who were these Commissioners of Supply? What constituted them was doubtful at one time; but an Act—17 & 18 *Vict.* c. 91—declared that they should consist of the proprietors of land of £100 a-year, proprietors of houses or other buildings, not farm-houses, worth £200 a-year, eldest sons of proprietors of land of £400 a-year, and the factors of landed proprietors of £800 a-year in the absence of the proprietor. These were the people who were to decide whether this Act was to be adopted or not; so that there was no provision whatever for making the voice of the constituency heard on the question; and they were required to have a majority of two-thirds to bring the Act into operation—which everyone knew it was very rare and very difficult to obtain in any business matters. If the two-thirds was not obtained at the expiration of two years, a majority could apply to the Secretary of State for a Provisional Order; and, after a preliminary inquiry, that Order might be issued by the Home Secretary, with such alterations as he should think fit, and might be contested before Committees of both Houses of Parliament—a most expensive and circuitous process to be gone through. It might be argued that the Commissioners of Supply were a large body, but this was not so, and the burghs were not represented at all. In Edinburgh the county proper contained 73,000 inhabitants. The Parliamentary burghs 254,000; yet the burghs were not to be represented—not even to send their chief magistrates to the meeting of the Commissioners. How could such a disparity be defended? It might be thought that the rental of the counties was a very large one, though the population was comparatively small, and that the counties paid a large amount of rates and taxes which the burghs escaped. But the facts were the other way. Taking Edinburgh county, the rental was £683,000, including railways; while the rental of the city of Edinburgh alone was above £1,500,000—and, including the three Parliamentary burghs of Leith, Portobello, and Musselburgh, it was £1,929,000. The rental of the burghs as against the counties was, therefore, as three to one, and yet they were to have no voice in the matter. Again, from a Return showing the income of every borough and county in the United Kingdom assessable to the income tax under all the Schedules, the county of Edinburgh had an assessable income of £1,075,000, while the city of Edinburgh had an income of above £6,000,000, and the burghs of Leith, Portobello, and Musselburgh had an income of an additional £1,000,000—making, altogether, £7,054,000 yearly, being nearly seven to one—and yet the burghs were to have no voice in the representation. Could anything be conceived more unjust than such a mode of legislation? This disparity was not confined to one county; but he would not weary the House by going over the facts relating to other counties. However, he might mention that in the county of Lanark, including all the police burghs, but excluding Glasgow, the income assessable to the income tax under all the Schedules was £4,327,000, while the income of Glasgow alone was £12,216,000. Yet Glasgow was to be ignored and trampled upon, and made tributary to the county by paying £12,500 a-year to keep up the roads of the county. This was landlordism with a vengeance. The expense of keeping up the county roads had been referred to as very great; but, while in the county of Edinburgh the surface repairs were estimated to cost next year £13,141, the expense in the city of Edinburgh alone was upwards of £20,000. The cost of maintaining the roads and streets in Edinburgh was now 5*d.* in the £, and if the Bill passed the rate would be 6*d.* Instead of the city being tributary to the county as Glasgow was proposed to be made, the county of Mid-Lothian was, to some extent, tributary to the city of Edinburgh; because the county now paid £1,500 a-year to the city for keeping up certain roads as county roads, although within the limits of the city, and that would cease when the Bill passed; and the causeway mail would cease to be levied, which now produced nearly £2,000 a-year. The city rate would then be 6*d.* in the £, and the rate for the county would be less than 6*d.* The expense of keeping up the statute labour roads now met by a separate rate was, in many arguments for the counties, added to the expense of keeping up the turnpike roads, and he could not see why these two things should be mixed up at all. In comparing Edinburgh and Glasgow with the counties, it might be supposed that he had selected favourable cases; but the Return which he had quoted showed that, taking all the counties of Scotland together and all the Parliamentary burghs together, the assessable rental of the counties under all the Schedules to income tax was £25,436,000, while that of the Parliamentary burghs alone, not including the police burghs, was £28,130,000. The landed interest had its own way so much in the framing of this Bill, that the burghs had a strong claim to be heard against it. In the Report of the Royal Commissioners to which reference had been made, it was recommended that small burghs should be dealt with for road purposes as for police purposes—that was, that a small burgh should have the option to be rated as part of the county; but this Bill overthrew that recommendation altogether, and took away the option suggested by the Royal Commission. In certain small burghs the rate would be most oppressive. A small burgh might be a turnpike road, with a row of houses on each side, and the road might be used for traffic from one end of the county to the other, while the rental of the burgh and the use of the road by the burgh might be very small.

The wisdom of the old Scottish Parliament gave such burghs compensation for keeping up the repair of the roads, by allowing them to levy causeway mail and through customs. He hoped the Lord Advocate would take into consideration that, while the Commissioners agreed to abolish these customs, they recommended, as part of their scheme, that the small burghs should have the option of merging themselves into the counties—that the two things should go together; but the Bill took away that option, and the customs, leaving the whole burden of the road on the burgh. He (Mr. M'Laren) was not an advocate for through customs and causeway mail. He had done all he could to get them abolished; but he submitted that if they took away those rights from the small burghs, they ought to leave them the option recommended by the Royal Commissioners of merging themselves in the counties. There was another objectionable principle in the Bill. When two burghs came into juxtaposition, and a turnpike road was the boundary, each burgh was to keep up one-half of the road from the middle; but when a turnpike road divided a burgh from the county, the burgh was, by this Bill, to keep up the whole of the road, and the county was to do nothing. Could that be called a just principle? Then there were the provisions with regard to debts. Four out of five of the Royal Commissioners were large landholders, so that the landed interest could not have been overlooked by the Commission; and they said that whenever a debt existed on any road, part being in a burgh, the debt should be paid off in proportion to the mileage within the burgh and to the mileage without the burgh. But the Bill did not regard the mileage within the burgh, but only the cumulo debt. Another objectionable principle was this—that where tolls had already been abolished the majority of road trustees, at a meeting called for the purpose, could actually repeal the Local Act which had been obtained at an expense of thousands of pounds and adopt the present Act. He might be asked what he would do? He would say—"Do for Scotland what you do for England. Let the trustees of an expiring Act come before the House and ask for a renewal, and then let the local parties, whether of burghs or counties, come before the Committee to be heard for their interests, and then let the Committee pass an equitable Bill as they now do for England." He knew that that was objected to on the score of expense; but he had no hesitation in saying that there would be less expense to the counties that had not yet abolished tolls, in adopting that principle, than by the Bill's cumbrous principle of going to the Home Secretary, of then having a local inquiry, and then fighting the question in Parliament over again, and paying all the costs incurred by these different inquiries and contests. He apologized for having taken up so much time, and thanked the House for the patient hearing it had given him.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words, "this House will, upon this day six months, resolve itself into the said Committee,—(*Colonel Alexander*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Colonel ALEXANDER wished to correct an error into which the hon. Member for Edinburgh had fallen. He (Colonel Alexander) had not said that the cost of maintaining the roads under the Bill would be three times what it was at present; but that the Bill would treble the assessment of each individual proprietor of lands and heritages within the counties.

Admiral Sir WILLIAM EDMONSTONE said, that since he spoke on the subject last year his objection to the Bill continued, and had not in any sense decreased. He was opposed to the Bill in the general interest of the counties, as imposing additional assessment, and also because he thought that those who used the roads should pay for them. But as the Government, after long and careful deliberation, had thought right to bring in a Bill, and as his constituents as a whole did not wish him to oppose it, he should support the Bill, though his own objections to it were as strong as ever. He should reserve the right to deal with the details of his Bill in Committee.

Mr. BAXTER said, it was only fair to the Government that they should go into Committee. It was not necessary for him to reply to the arguments of the hon. and gallant Member for Ayrshire (Colonel Alexander), which had been utterly demolished by the hon. Member for Edinburgh (Mr. M'Laren); but he would put it to the House that the Bill had been for several years before the counties, and had been thoroughly canvassed in every line and clause. The Home Secretary and the Lord Advocate had taken a great deal of trouble to give them a day for the Bill; and, now after all the grumbling which had been going on in Scotland about the neglect of Scotch Business and Legislation, it was desired to get up a great debate and not to go into Committee. The hon. Member for Edinburgh had talked about several principles of the Bill; but he (Mr. Baxter) said there was but one principle, and that was the abolition of tolls. He could not understand how anyone could advocate such an antiquated and expensive a system as that of tolls. The hon. and gallant Member for Ayrshire had said that he was prepared to abolish tolls if some equitable system of assessment could be devised; but, in the majority of the Scotch counties, not only had such a system been devised, but it had been in operation for years, and it was not creditable to the other counties that they had not long ago followed so good an example. He appealed to hon. Members whether, where tolls had been abolished and an assessment substituted, it had not worked satisfactorily to all parties? Every one of the objections which had been made could be dealt with in Committee. But did hon. Members expect that the Government and the House were going to give them many more days for such a minor matter as the Roads and Bridges of Scotland? He appealed to hon. Members not to delay going into Committee, so that they could deal with the clauses in a workmanlike manner.

Mr. ANDERSON said, he agreed very much with what had been said by the right hon. Member for Montrose (Mr. Baxter); but sometimes details were very important, and took away all the merit of the main principle, and he thought he should show that the present was one of such cases. When a Government had brought in a Bill, and subsequently brought in new clauses, they were bound to read the new clauses and the Bill together. When they discussed this matter on the second reading of the Bill, the new clauses were not before them. In the discussion on the second reading, he called attention to the objectionable manner in which so much power was left in the hands of the Commissioners of Supply, while there was so little of the representative principle. The Commissioners of Supply were all landed proprietors, or sons of landed proprietors, or factors of landed proprietors.

Colonel MURE said, he must demur to the statement of the hon. Member as far as factors were concerned.

Mr. ANDERSON said, that landed proprietors of over £800 a-year had the additional advantage of having factors to represent them in their absence. He had put down Amendments on this part of the Bill, and was prepared to discuss them in Committee. But the new clauses had been brought forward since then, and they were so important to the constituency which he represented that they went far towards making the Bill a blessing or a curse to that constituency according as they were adopted or refused. If the Home Secretary persisted in carrying them through as they now stood, he must do all he could to prevent the Bill passing, and was sorry that he had not more power than he had; but whatever it was he should firmly exercise it. He hoped the Home Secretary would re-consider those clauses, seeing how unjust a burden they would put on the city of Glasgow. The Bill, as it stood, without the new clauses, would give 10 miles of additional roads to Glasgow to keep up; but this considerable burden was not objected to, though it would cost the ratepayers at least 1*d.* in the £ in addition to the cost of keeping up their own roads. But one of the new clauses would make Glasgow bear a share of the county debts of Lanarkshire and Renfrewshire. This, he thought, was very unjust, because for many years Glasgow had been spending enormous sums in paving and repairing its principal streets. The county had been spending and borrowing sums, and had not paid off its debts in the way in which Glasgow had done, and there was a large debt on the county roads, whereas he thought the street debt of Glasgow was only £140,000. If the Bill proposed to throw the two debts into one, and that both city and county should pay, then it might be an approximation to justice; but the Bill actually proposed that the city should go on paying its own debt solely, and, at the same time, should pay equally with the county the county debt. He could not see how any proposal could be more unjust than that. But, more than that, there was another clause proposed by which Glasgow was asked to give a fixed annual contribution to the counties to assist them to keep up their own roads. Upon what principle that was proposed he could not say. The clause left a blank for the amount, and therefore he presumed that they were left to make the best fight they could as to what that amount should be. He would suggest that the proper sum with which to fill up the blank would be one farthing. In reality, however, there ought to be nothing at all. The principle was entirely unjust. There was no earthly reason why the citizens of Glasgow should be asked, in addition to keeping up their own streets, to pay an annual sum for the keeping up of the county roads, with which they had nothing on earth to do. A Royal Commission, which sat in 1859, recommended that burghs and counties should each keep their own roads, and the present proposal was entirely contrary to the Report of that Commission. All the street traffic of Glasgow was not city traffic. An immense part of it was county traffic, consisting of coals, iron, and farm produce, which were sent into Glasgow to be sent by railway or shipped at the harbour. All that traffic passed through the streets of the city at present without contributing a single farthing towards their maintenance. Notwithstanding that, they were to be asked to pay to keep up these streets, which were used by the people in the county for their traffic, and also to pay an annual sum towards keeping up the roads in the county. His hon. Friend the Member for Edinburgh had informed him that the blank had been filled up with the sum of £12,500 a-year in perpetuity. That burden was to be put upon them without a shadow of excuse. That sum, divided between Glasgow and the smaller burghs which surrounded the city, would leave something like £10,000 to be paid by Glasgow—that was to say, it would leave something more than 1*d.* in the £ on the whole rating of the city. He asked the Home Secretary to consider how far that was a just burden to put upon Glasgow. Then, the share of the debt, the assessment for which was to be spread over 40 or 50 years, would, it was estimated, amount to another ¼*d.* in the £; so that altogether the Bill would impose upon the citizens of Glasgow, in addition to the present charge for maintaining the streets, an annual assessment of 2¼*d.* Of that charge they did not object to the 1*d.* for the new roads, but they did object entirely to the further addition of 1¼*d.* He asked the right hon. Gentleman to consider the position of a shopkeeper in Glasgow paying £500 or £1,000 a-year, and that of a landowner in the county paying a similar amount. Was the interest in the road analogous in those two cases? Yet both were to pay an equal rating in regard to the debt, entirely forgetful of the fact that the lands round Glasgow had been enormously enhanced in value through the simple fact of their contiguity to Glasgow. The value of the estates of the landowners round Glasgow had, owing to this circumstance, been doubled and trebled; and, in some cases, enhanced a hundredfold; and they now wanted to escape the burden that ought naturally to fall upon them in consideration of the benefit which they had thus derived. Unless the right hon. Gentleman would give some pledge to re-consider these clauses and deal with this matter in a more equitable way, he should be obliged to divide against going into Committee on the Bill.

SIR WINDHAM ANSTRUTHER thought the hon. Members who had listened to the observations of the hon. Member for Edinburgh (Mr. M'Laren) would be of opinion that he was justly entitled to the name given to him by his hon. Friend and Kinsman the Member for Fife (Sir Robert Anstruther), when he called him, two Sessions ago, an "Encyclopædia of figures." The observations which the hon. Member had addressed to the House would have been more properly made in Committee on the Bill. The same remark applied also to the observations to which they had just listened from the hon. Member for Glasgow (Mr. Anderson). He (Sir Windham Anstruther) did his best last year to help to defeat this Bill; because he thought that a measure of this importance, affecting local interests, touching property, and largely increasing the burden of local taxation, ought not to be pushed through the House at the fag-end of a Session. He did not intend to take that course on the present occasion, though he wished to guard against its being either implied or understood that he accepted this measure unconditionally. From the fact that two hon. Members differing so entirely in their views as the hon. Member for Edinburgh and the hon. and gallant Member for Ayrshire had joined hands across the floor of the House in order to defeat the Bill, he was led to think that there must be some good in it, and that it contained the materials out of which, with care and consideration, a measure might be constructed which, whilst abolishing tolls on highways, would do so in a manner as equitable, as such a measure could be equitable, to those who would have, by the proposed change, to bear the burden of maintaining the roads. He hoped that they might be allowed to go into Committee on the Bill without much further discussion. In Committee, when the Bill should come into operation, if certain counties should be exempted from its provisions, how far it was advisable to disregard all local interests, and to treat all the different counties of Scotland as if they were all the same length, and breadth, and height, whilst the fact was notoriously the reverse; and when, and where, and how this perfect model of cut-and-dried uniformity in pattern should be altered, could be fully considered and decided upon. He maintained that the rejection of this measure implied delay, and that again meant a continuance of the agitation for the abolition of tolls, without any probable result.

Sir GEORGE CAMPBELL said, he entirely agreed with the right hon. Member for Montrose (Mr. Baxter), that it was desirable to go into Committee on the Bill as soon as possible; but there was one point upon which he should like to say a word, especially as he should feel himself precluded from raising the question in Committee. He alluded to the imposition of a tax upon horses and carriages. Last year he did place an Amendment on the Paper on this subject; but he had now come to the conclusion it would so vitally affect the framework of the Bill that he did not think it was possible for a private Member to raise the question in Committee unless the Government were willing to accept the general proposition of which he had given Notice—namely, that no measure could be satisfactory which failed to satisfy the classes who did not ordinarily pay tolls by placing a part of the burden on horses and carriages. He did not mean horses ordinarily used on agricultural land. He admitted that, such land being taxed, there was no case for taxing agricultural horses. Speaking principally as representing a burgh constituency, he said that the most intelligent and best men connected with burghs were almost united in wishing that the Bill should be passed in a modified form, such as the hon. Member for Edinburgh (Mr. M'Laren) would be able to suggest in Committee; but, at the same time, he had found by experience, that there was a strong undercurrent of feeling on the part of the smaller ratepayers of burghs who did not directly pay tolls that the effect of the measure would be to put upon them rates which they thought ought to be paid by the people who used the roads. He was quite aware that in reality, when they came to the merits of the question, this objection could be in great part met; because, although these people did not directly pay tolls, yet they undoubtedly paid more for their coal, corn, and a great many other things in the shape of tolls, and in that way they would be benefited by the abolition of tolls. But, on the other hand, he was inclined to think that in political matters, and especially in financial matters, they must not only be just but seem to be just. They must make it clear and apparent to all that they were just. Now, that indirect saving which would come to the small ratepayers was not a saving which they very clearly saw, and therefore they were not inclined to acknowledge it; and he believed that if this Bill were passed without some such provision as that which he suggested, there would be a great deal of grumbling on the part of the small ratepayers when the impost came to be enforced upon them. Therefore, he asked why a rate should not be imposed upon the horses and carriages which used roads other than agricultural horses? There was a class—no doubt a limited class—who kept horses and carriages for pleasure, and a real injustice would be done unless these rich people contributed their fair quota of taxation for the purpose of maintaining the roads which they used more than other people used them. Take the case of two men living in houses of equal value—one of them kept a carriage and horses, and the other kept nothing of the kind. Well, those two men would pay equally to the rates, although they did not equally use the roads. That was an injustice, and he was afraid there was a feeling rising up which would spread, that this was to a certain extent a question between rich and poor. If the Government desired to satisfy the smaller ratepayers, they would endeavour to engraft upon the Bill a clause which should impose a tax upon horses and carriages using the roads for the purpose of pleasure and luxury, which should so far go in diminution of the rate imposed upon land and houses.

SIR WILLIAM CUNINGHAME said, there were several matters in the Bill which appeared to be mere points of detail; but which, in fact, involved important principles, and ought to be discussed before the Committee stage was reached. One of these was the question whether it was possible to arrange for the maintenance of roads by assessment in preference to the present arrangement of tolls, or by the payment of tolls by the people actually using them? That was a question which they could not fairly discuss without entering upon those broad matters of principle which he had embodied in the Amendment of which he had given Notice—

> "That, whilst this House is not unwilling to assent to the abolition of tolls in Scotland (if an equitable system of assessment can be devised), it is of opinion no measure is satisfactory which changes the burden of taxation during existing leases, and which does not provide that the richer classes should bear a part of the charge proportionate to the number of horses and carriages used by them."

He did not wish to be considered as anxious to take up any position of active hostility to the Bill, but he could have wished that it had been made permissive. He had no wish to delay the passing of the Bill; because it appeared to him that when the Home Secretary stated, as he was reported to have stated, that he was determined to abolish tolls, there was very little further to be said in the matter but to endeavour to make the Bill as satisfactory as possible to all parties who would be affected by it. His principal objection to it was that he was very much afraid that the measure, if passed, would bring a great deal of unpopularity on Her Majesty's Government, making it many enemies, but no friends. A new rate was always an unpopular measure, and under this Bill a great many men would have to pay a rate who had never paid a toll in their lives, and when the rate collector came round they would consider they owed a grudge against the Conservative Government. If there had been any special demand throughout the country for this measure, he should possibly have considered it was worth while for the Conservative Government to incur the risk of this unpopularity; but, with the exception of the two great towns of Edinburgh and Glasgow, he was unable to find that there was any large district in Scotland that was very anxious to get rid of tolls. In his own burgh, which could not be entered except through a toll-gate, no such feeling existed; and, but for the allegiance he bore to his Party, he was perfectly free to vote with his hon. and gallant Friend who had moved the rejection of the Bill. With regard to the two points, which he had ventured to bring in his Amendment under the notice of the Government, he hoped before going into Committee that the Home Secretary would be kind enough to give the opinion of the Government upon them.

COLONEL MURE said, he could not allow the House to divide on the question without saying a few words. He certainly must congratulate the Government on the marvellous allegiance displayed by their supporters. He had often been surprised at the extent to which the allegiance given by hon. Members sitting behind the Ministerial bench was carried; but he had never before been so strongly impressed by the remarkable manner in which Her Majesty's Government was supported. There were two hon. Gentlemen behind the front bench who had expressed their thorough disapproval of the Bill; but, nevertheless, owing to their allegiance towards Her Majesty's Government, although their constituents were opposed to the Bill, they intended to support the measure.

ADMIRAL SIR WILLIAM EDMONSTONE: I merely stated that my constituents did not wish me to oppose the Bill.

Colonel MURE said, the hon. and gallant Admiral was singularly lucky, for he represented a double allegiance. So much, however, for the solidity of the Conservative Party of which he had heard a good deal already, but which now appeared to be almost perfect. With regard to the speech of the hon. and gallant Gentleman the Member for Ayrshire (Colonel Alexander), he was anxious to have risen immediately after that speech had been made; but other hon. Members happened to be before him. Without entering into the points raised by the hon. and gallant Gentleman, he wished to point out to the House, without alluding to any personal matter, that he himself (Colonel Mure) had a strong interest in the county of Ayr. He lived in the county, and his interest in it was quite as strong as that of the hon. and gallant Gentleman, and the other hon. and gallant Member who opposed the Bill. He believed that they had exaggerated the evils that would be brought upon the county by the Bill, and he could assure them that if he saw in it the same evils that they appeared to perceive, he should be inclined to offer the strongest opposition to the measure. He was the Member for a county (Renfrew) which was overshadowed by Glasgow, and which, by reason of the enormous traffic connected with that city, would have a large amount of rates thrown upon it unless it could obtain some relief under this Bill. That relief would be afforded by the clauses that had been introduced into the measure; and although all those clauses were quite satisfactory, he nevertheless thought the Bill was one which they might fairly ask should have the opportunity of being amended in Committee. The hon. Member for Edinburgh had strongly opposed the Bill. Of course, that was to be expected. The hon. Member, on every Bill that affected his locality, when it was first brought in, and on any great measure dealing with roads, was sure to have a Notice of Amendment put against it that it be read a second time that day six months. [Mr. M'Laren: No, no!] The hon. Member said "No, no;" but the observation made with regard to him was founded on what he (Colonel Mure) had observed with regard to the hon. Gentleman's general action on measures dealing with local matters. The hon. Member for Glasgow (Mr. Anderson) had also opposed the Bill; but he would point out to that hon. Gentleman that this was not a Bill brought in by the counties, as he seemed to suppose. It was, in fact, a Bill brought in by Glasgow and Edinburgh, which had been so loud in their demands that tolls should be abolished; but now that a Bill had been brought in to abolish tolls, and proposing to deal fairly with conflicting interests of the counties and boroughs, the two hon. Gentlemen to whom he had referred had put their names down against the measure, and in opposition to the view which the two cities of Glasgow and Edinburgh had enunciated when they had been crying out for the abolition of tolls. The hon. Member for Glasgow said it was wrong that that city should be called on to contribute anything in payment of the debts of the county; but it should be remembered that a good many years ago the gentlemen of that county took a heavy burden on themselves, and it was only fair, now that the tolls were to be abolished, and their security abolished with them, that Glasgow, which had been served with the county roads, should pay its fair share of that debt. The Glasgow people wanted to see the tolls abolished, because they thought it was not fair for them to pay tolls on the roads near that city; but in this they necessarily implied that they made use of those roads. Their argument was that they ought not to contribute to the maintenance of the roads because they used the rail, and not the roads; but this statement could not be true, because their very desire to get rid of the tolls was a proof that they did use the road, or the tolls would not affect them. Their position in this matter was utterly inconsistent. However, he would not further discuss the Bill as he saw the House was anxious to go into Committee upon it, and he hoped, therefore, that the debate would be speedily closed.

Lord ELCHO said, the hon. and gallant Gentleman the Member for the Ayrshire Burghs (Sir William Cuninghame) had put the question on an entirely new footing. He looked at the question in the light in which it would affect the Government. Now, he thought they should look at it in the way in which it affected Scotland. Whatever his hon. and gallant Friend might say, unquestionably the feeling in Scotland had been to get rid of tolls. There might have been disputes between town and country in respect to the subject; but, unquestionably, the feeling had been to get rid of tolls, and in deference to that strong public opinion the Government had taken the matter in hand, which was one of no slight task considering there were no fewer than 20 pages of Amendments to the Bill. He considered that his hon. and gallant Friend had given good advice to the House when he proposed to refer all the questions in dispute to consideration in Committee. His hon. and gallant Friend went "the whole hog" against tolls, but the public feeling was against him in so far as he wished to maintain tolls while the Bill proposed to abolish them. On the other hand, the hon. Gentleman the Member for Edinburgh (Mr. M'Laren) took a different line. He did not attack the principles of the Bill, but he attacked it in every possible way in matters of detail. He said this was a principle of the Bill, and that was a principle of the Bill; and if they summed up the number of times the hon. Member said "that was the principle of the Bill," there must be quite 25 principles in the Bill. The hon. Member had discussed matters of detail which should be left to Committee. He had heard it suggested that horses and carts should be taxed, and he (Lord Elcho) represented a county which, before it abolished tolls, endeavoured to find various ways to get out of the difficulty. One of those ways was to place a tax upon horses; but they found that it would not do, and they therefore had to abandon it. It was found after all that they must either keep tolls, or abolish them absolutely. Any stranger to the subject, who listened to the speech of the hon. Member for Glasgow (Mr. Anderson), would come to the conclusion that the Bill proposed simply to place upon Glasgow the debt that was now paid by the county, and to make Glasgow maintain the roads which it did not now maintain; but the roads were maintained by tolls round about Glasgow, and the hon. Member was endeavouring to throw dust in the eyes of the House by ignoring the fact that there was not a just apportionment of the debt between town and county. He deprecated a fight between town and county in this matter. What they wanted was something that was fair and just, and the Government were endeavouring to do it.

GENERAL SIR GEORGE BALFOUR appealed to the hon. and gallant Member opposite (Colonel Alexander) not to press his Amendment. He contended that the main objection they all had in view was that of the abolition of tolls. The point which he had always endeavoured to enforce was, that when all the roads of a county—namely, turnpike and commutation or statute labour roads—were combined under one management, there should be greater economy practised in regard to the maintenance of roads. The information available justified an estimate of about 21,000 miles of road in the Scotch counties, and that these cost about £252,000 per annum, which was an average of about £12 a-mile. This was direct outlay, quite irrespective of the indirect charges occasioned by letting out the turnpikes. These were about 1,000 in number, and the keepers could not be expected to earn less than £30 for each bar. That alone added £30,000 at least. Indeed, £300,000 per annum might be the direct and indirect outlay on roads of all kinds. Nearly two-thirds might be chargeable to about 5,000 miles of turnpike roads, and one-third to 16,000 miles of other roads. He saw no reason why economy should not be effected in many ways—as, for instance, in dealing with the salaries of their clerks, and surveyors, and lawyers. Looking at all the points connected with the question, and seeing how fast Scotland was diminishing the number of trusts—for in 10 years, 24 trusts had been abolished—he considered it desirable in every way that the whole of the tolls should be got rid of. That was the essential issue. The other questions at issue were matters of detail. He was sure the Home Secretary would allow Scotch Members to discuss the questions fully, and he therefore asked hon. Members who proposed the Amendment not to press for a division.

SIR EDWARD COLEBROOKE remarked that all the reasons which could possibly be brought against the Bill by interests in the city of Glasgow and in Lanarkshire had been fairly urged, and the allegation had been made that had the Bill been brought forward in the naked manner in which it was originally proposed, it would have imposed a most unendurable burden upon the suburbs of the great towns. He had urged over and over again that those suburban places would suffer very much. Some years ago he went so far as to propose—what the Government had now taken up—a continuation of tolls where there was an unusual amount of traffic. A permissive measure was taken in hand, by which, in places where there was a great traffic, tolls should be levied. But the Government went further in the matter. An inquiry was instituted, and statements were made on either side, and the decision had confirmed his allegation on the matter. He admitted the great difficulty of the question as to the real adjustment of the maintenance of the roads between town and county. It would be a needless inquiry to attempt to get at the way in which different parties were interested, and he believed if the Government took the general assessment for the whole, it would be the best plan they could adopt. He hoped a division would not be taken, but that the House might be allowed to go into Committee.

Mr. MONTGOMERIE could not say, with many hon. Members, that he wished the House to go into Committee. He rose to support the Motion of his hon. and gallant Friend the Member for South Ayrshire, and thought it more necessary that he should do so seeing that his hon. and gallant Friend opposite (Colonel Mure) had rather intimated that the feeling in Ayrshire against the Bill had been exaggerated. He thought that the noble Lord the Member for Haddingtonshire (Lord Elcho) placed the question on a right footing when he said the question before the House was whether or not they should abolish tolls, and that this was not a question between town and country; and he had less hesitation in saying that, because in his part of the country the towns were at one with the country. He was quite ready to admit that the abolition of tolls was necessary and desirable in some counties, although in others it might not be. His hon. Friend the Member for Edinburgh (Mr. M'Laren) said that the ratepayers would have no voice in the Bill; but he only wished that the ratepayers in Ayr had the same opportunity of expressing their opinions of the measure as he had. They were entirely opposed to the Bill. What was its object—was it to make better roads, or to make a more equitable adjustment of the expense of keeping up the ones already in use? If it was to make better roads—it was scarcely possible to do so in Ayrshire. If it was to make the burden of maintaining them fall equally, the Bill did not seem to him calculated to do that. There were so many interests involved in the carrying out of the measure that it was impossible to make a rule which would apply with justice to all. They had one coalowner sending all his coal by a railway which he had made, and had to maintain, at a great expense, while his next neighbour might be getting his whole output carried away by the roads; and it could not be said that justice was done in making each pay the same rate for road maintenance. It seemed to him that the Bill had its origin in the love for uniformity, which was all very well in the prisons and poorhouses, but certainly was not necessary for such matters as keeping up roads. He could not see that there was much in the argument of his hon. Friend the Member for the Ayr Burghs (Sir William Cuninghame), that the Bill was objectionable because it would make the Government unpopular. If the Government thought it good for the country they would, no doubt, carry the measure, whatever its effect might be on its popularity. All he said was that the Bill was certainly not to the advantage of the county he (Mr. Montgomerie) represented. He would still appeal to Her Majesty's Government, and to his learned Friend the Lord Advocate, that they should give effect to the recommendations of the Commission, and allow them to keep things as they were, or, at least, to make the measure permissive instead of compulsory. The Lord Advocate had formerly admitted that the county of Ayr was differently circumstanced from other counties, and it was perfectly possible for counties which had no tolls to live in peace with counties which had tolls. There was this peculiarity in the county which he had the honour to represent. On one side they had the sea, and not many carriages came from there; on the other side they had the hills, and whatever traffic went through went by rail. Let them, therefore, in Ayrshire keep their tolls. The present system worked well, and they did not want any change.

DR. CAMERON said, he was quite willing that the hon. and learned Member should keep his tolls as long as the law allowed him to do so; but it so happened that the turnpike trusts expired in Ayrshire next year, and if the Home Secretary was as good as his word, not one of these would be renewed. Therefore, it could make but very little difference to the hon. and learned Member whether this Bill was thrown out or not. Either he must face the Bill, which would allow him 10 years grace, or he must submit to inquiry into the various turnpike trusts in Ayrshire. He intended to vote for the Speaker leaving the Chair; but he confessed that if the Bill on which they were now asked to go into Committee embodied the clause relating to Glasgow which it was proposed to insert in it, he should be bound to oppose the Bill, or, at any rate, to treat it in a different manner from what he intended to do. He wished to call attention to a few circumstances connected with turnpike trusts in Scotland. Of these, 22 would expire next year, and for the sake of these 22 it was proposed to reinstate 135 for 10 years. Now, that, he thought, was perfectly indefensible. He could not help re-echoing what was said by his hon. Friend the Member for Edinburgh, that they should be better able to deal with these Turnpike Acts themselves, and in a short time they would achieve the abolition of the turnpike system in Scotland. The Home Secretary had said that it was only in case of this Bill being prevented from coming into law by the opposition of the counties that he would insist on expiring Turnpike Acts in Scotland being referred to a Committee; but last year the right hon. Gentleman was reported in *Hansard* to have said—

> "If by any misfortune, which I do not at the present moment anticipate, legislation should be prevented in the course of another year, all these Turnpike Acts will have to be continued only after the greatest possible investigation, and a proper understanding upon them."—[3 *Hansard*, ccxxxvi. 755.]

There was, the right hon. Gentleman added, no reason why the Scotch Acts should not be treated in the same way as the English Acts. The expiring Turnpike Acts Continuance Bill of this year would renew for another year about 120 or 130 of these Turnpike Acts; and whether the right hon. Gentleman chose to construe his statement in the manner in which he had stated it to the hon. Member for Edinburgh, or according to the words used in *Hansard*, was of little matter; but he could promise that, so far as he was concerned, they would demand a stringent investigation before they allowed any of those Acts to be renewed another year under the Expiring Acts Continuance Bill. To show the iniquity of some of these Acts yearly continued without inquiry, he should refer to the case of two connected with the city of Glasgow. The statement he was about to make was based entirely on *ex parte* evidence, and he gave it simply as showing the necessity for investigation before there was any renewal of these Acts. The first was the case of the Trust of the Yoker Road. That Trust was empowered to borrow money for the purpose of maintaining the road and paying off the debt. Since the road was constructed a tramway line was made, which extended about two and three-quarter miles along it, and the tramway company maintained the greater part of the road for that distance. In 1875 the tramway company discovered that the Trust had nearly £14,000 lying to its credit in the bank, but was continuing to levy tolls all the same. The tramway company drew the attention of the Trust to that fact, and the effect was that the Trust brought in a Bill for the construction of a new road, absorbing the money and preventing the cessation of the tolls. Another instance was afforded by the tramway company on the Glasgow Great Western Road. The Trust there had enough money to pay off their entire debt, as they were bound by their Act to do. Instead of that, they left the money lying in the bank. When the tramway company drew attention to it, the Trust suddenly discovered that they were charging the tram-cars too little, and they raised the rate per car from 1*s.* to 2*s.* Now, when they were asked to perpetuate such Acts as these, it was high time that some searching inquiry should be made. He was quite willing, in order to obtain the discontinuance of this gross injustice, to submit to some trifling anomalies; and he should, therefore, vote for going into Committee, on the distinct understanding that he might oppose the Bill at a future stage should any objectionable provision be introduced.

Question put.

The House *divided:*—Ayes 104; Noes 5: Majority 99.—(Div. List, No. 62.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Preamble *postponed.*

Clause 1 (Short title, and commencement of Act).

Mr. ANDERSON, in moving that the Chairman report Progress and ask leave to sit again, said, his reason for doing so was that, although they had been engaged for several hours in a debate in which many hon. Members had spoken, the Government had taken no part in it. It was new to his experience—and he thought it must be to every Member of the House—to find that, after a long debate, no Member of the Government had attempted to reply. This, he thought, was treating the House with very great disrespect. Some Members of the Government were present now, and, in order to give them an opportunity of making the reply which they ought to have made before the Speaker left the Chair, he brought forward the present Motion.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Anderson.*)

Lord ELCHO thought the Government, by not answering, had by no means established a bad precedent. If the Government had not spoken, the House had spoken, by 104 votes to 5, in favour of going on with the Bill. He regretted, therefore, that the hon. Member for Glasgow should have interposed to prevent their proceeding to consider the clauses.

Mr. M'LAGAN was of opinion that the Government did quite right in not speaking on this subject. He was anxious to have spoken himself; but he thought what he had to say could be quite as well spoken in Committee.

Many of the speeches that had been made might have been deferred, and he trusted his hon. Friend (Mr. Anderson) would not press the Motion.

The LORD ADVOCATE said, that he was in charge of the Bill, and that nothing was farther from his mind than to show any want of courtesy to the House. If any independent Member had expressed a desire in the course of the debate that he should make some observations, he should not have refrained from doing so. He thought, however, that by keeping silence, he was furthering the object which the House had in view—namely, that they should pass into Committee without any further discussion. He thought hon. Gentlemen who supported the Motion for the rejection of the Bill answered themselves. One opposed the Bill because it did not go far enough, and the others because it went a great deal too far. Although the questions raised in the debate were, no doubt, of great importance, he felt that it would be necessary to discuss them over again in Committee, and that the opinion of the Government might be expressed on every one of them in the discussion which must ensue on the clauses.

Mr. FRASER-MACKINTOSH remarked, that the Lord Advocate had said he did not intend any discourtesy. He occupied three minutes in making his statement—three minutes which he might have utilized to much greater advantage in replying at the proper time to the arguments that had been urged. As they were all anxious to go on with the Bill, he hoped the hon. Member for Glasgow would be satisfied with the explanation now given, and withdraw his Amendment.

Mr. ANDERSON said, he wished to express his opinion of the conduct of the Government, and he thought no hon. Member had ventured to deny that they had pursued a very unusual course. He would not, however, put the House to the trouble of a division.

Motion, by leave, *withdrawn.*

Clause *agreed to.*

Clause 2 (Extent of Act) *agreed to.*

Clause 3 (Interpretation).

Sir WINDHAM ANSTRUTHER suggested that, as this was an interpretation clause which might be affected by what took place during the discussion on other clauses, it and the 4th clause, which might also have to be considerably altered, had better be postponed.

THE LORD ADVOCATE thought it desirable to pass the clause, in order to define the meaning of the words "burghs," "highways," &c., as they occurred in other parts of the Bill.

SIR WINDHAM ANSTRUTHER moved, as an Amendment, in page 1, between lines 31 and 32, to insert—

> "Commissioners of Supply shall not include persons whose qualification as such arises from property situated, or office held, in a burgh."

MR. J. W. BARCLAY objected to the Amendment, as being a still further limitation of a body which was already too limited. He thought the limitations of qualification were sufficiently narrow, and thought it very undesirable to narrow them still more.

THE LORD ADVOCATE could not accept the Amendment. The words "Commissioners of Supply" must, for the purposes of the Act, be taken in a wider sense than was given them by the Amendment.

Amendment, by leave, *withdrawn.*

THE MARQUESS OF LORNE moved, as an Amendment, page 1, line 33, to leave out "and" and insert "or." The Amendment was intended to include all burghs not exceeding 5,000 inhabitants in the district assessments. It seemed unfair that when such small townships used the roads in their neighbourhoods, and cut them up by coach and cart traffic, they should not be called upon to pay something.

MR. M'LAREN considered that the clause, for all its purposes, was better as it stood.

THE LORD ADVOCATE thought it a matter of extreme indifference whether the word "or" or the word "and" occurred in the clause. Either would be grammatically correct.

Amendment *agreed to;* word *substituted.*

MR. ANDERSON moved, as an Amendment, in page 2, line 8, to leave out the word "five" and insert "three." The object of the Amendment, he said, was to include populous places with populations of under 5,000 in the operation of the Act. Under the Act, all towns with populations of under 5,000 were excluded, and he wished to extend the advantage of the Act to populations of 3,000 and over.

Amendment proposed, in page 2, line 8, to leave out the word "five" in order to insert the word "three."—(*Mr. Anderson.*)

Question proposed, "That the word 'five' stand part of the Clause."

SIR ALEXANDER GORDON, who had a similar Amendment on the Paper, supported that of the hon. Member for Glasgow (Mr. Anderson). A great many small towns in Scotland were desirous of taking advantage of the provisions of this Bill. There were not less than 27 Parliamentary burghs with populations of under 3,000, and not less than 25 Royal burghs with populations under 2,000, and it was an anomaly that the Bill should be applicable to Royal and Parliamentary burghs of less than 5,000 inhabitants, while it would not apply to other towns having the same population. He thought the Amendment was a very reasonable one. In the Police Act of 1850, "populous places" were defined as places and villages of 1,200 inhabitants. They obtained the privilege of assessing themselves for police and municipal purposes. Again, in the next Police Act for Scotland, passed in 1862, "populous places" were defined as towns and villages of 700 inhabitants. This showed there had been a tendency to increase the number of towns which were to have the control of their own affairs. In the present Bill, however, the required population was increased from 700 inhabitants to 5,000, and he did not know upon what principle that was done.

THE LORD ADVOCATE said, he was unable to accept the Amendment. According to the hon. and gallant Member who had just spoken, if they took the measure by the General Police Act of 1862, every place where 700 people were collected together must be dealt with as a town. Whatever might have been the expediency of admitting or excluding Royal and Parliamentary burghs within the meaning of the Bill, it was well known that they differed widely from "populous places," which were of various kinds. In "populous places" it was often difficult to ascertain where the town ended and the county began, and strange results would be brought about in some cases, if they took out of the county such places, and applied this Act to them. Therefore, the limit for the purposes of the Act was very deliberately assumed, so as not to include any little aggregate of houses that really did not constitute a town.

Mr. J. W. BARCLAY said, that, while he admitted fully the reasoning of the right hon. and learned Lord Advocate with regard to populous places taken under the Police Act, he thought that the case of burghs and populous places with populations so large as 3,000 was a very strong one, and he recommended that the opinion of the House should be taken upon the question. There were in his constituency and in Aberdeenshire several such places which were models of good management, not only with respect to the roads, but as to their municipal government. He thought that 3,000 was not by any means too small a population to have the management of its own roads, and if the Committee went to a division, he should vote in favour of the Amendment.

Mr. ERNEST NOEL supported the Amendment. It was an extraordinary thing to say that a small town was not to enjoy the benefits of the Bill, simply because it did not happen to be a Royal or Parliamentary burgh. He was far from wishing to take from the Royal burghs any privileges they possessed; but he could not see why one burgh was to have the right to manage its roads and bridges, while that right was withheld from another burgh in the same county and with an equal population. The right hon. and learned Lord Advocate spoke as if those towns were without municipal life. He (Mr. Noel) knew one such town where the corporate life was as good as in any town in Scotland, and it was only by an accident that it had not come within the scope of the Bill as a Parliamentary burgh. It was a Parliamentary burgh in effect, though not according to the Act. He could hardly see that there was any fairness in such a state of things; and he trusted that the right hon. and learned Gentleman would consider whether the magic line of 5,000 was not one that might be modified. It would cause a great feeling of unfairness and great dissatisfaction throughout Scotland; and he could not see that any reason had been adduced for such an injustice being done.

Mr. ORR-EWING opposed the Amendment, and asked the Committee to remember that the original number fixed upon had been 10,000, and that the right hon. and learned Lord Advocate had reduced it in deference to the opinion of other hon. Members. The line must be drawn somewhere, and if it was fixed at 3,000 inhabitants, populations of 2,900 would complain of it. He hoped the Amendment would not be agreed to.

Mr. M'LAREN said, he would join in the appeal to substitute 3,000 for 5,000, inhabitants. He pointed out that places, especially in mining districts, which were 3,000 to-day might be 5,000 and 6,000 in a very short time; but, if not permitted to take part in the Act now, they would be for ever precluded from enjoying its advantages.

Mr. DALRYMPLE trusted that the Lord Advocate would adhere to the number of 5,000 inhabitants. He thought it would be a very unfortunate thing that at so early a stage of the Bill it should be recorded that a populous place contained less than 5,000 inhabitants, and still more absurd that such a place should be called a burgh. The number of 5,000 was a very fair number; and it was perfectly true, as had been stated by his hon. Friend the Member for Dumbartonshire, that that number had already been reduced. He was surprised that the hon. Member for Edinburgh (Mr. M'Laren) should have referred to mining districts; because, in those places, populations sprang up suddenly and diminished as rapidly, so that they ought not to be taken into account.

Mr. ANDERSON admitted that the line must be drawn somewhere, but the right hon. and learned Lord Advocate had failed to show why it should be drawn at 5,000 inhabitants. It appeared to him that 5,000 was too large a number. Towns in Scotland were not so populous as English towns. He thought a town of 3,000 inhabitants ought to be allowed to manage its roads and bridges, and therefore he should press his Motion to a division.

Question put.

The Committee *divided* :—Ayes 38; Noes 60: Majority 22.—(Div. List, No. 63.)

MR. ERNEST NOEL, who had an Amendment on the Paper, in page 2, lines 8 and 9, to leave out "exceeds five thousand" and insert "is not less than four thousand," said, after the last division he had but small hope of inducing the Committee to adopt it, after they had refused 3,000 instead of 5,000 as proposed by the Bill. At the same time he must express his opinion, and would like to hear something from the learned Lord Advocate on the point—as to the hardship and injustice of an enactment, which would deprive every burgh which had not more than 5,000 inhabitants within three months of this Bill becoming an Act, having no power over the management of its own roads for all future time, unless it procured a new Act of Parliament applicable solely to its own case. No one could wish to be constantly coming to Parliament for fresh Bills for the management of roads and bridges, and he hoped the learned Lord Advocate would be able to accept 4,000 as a limit, and he should therefore move an Amendment to that effect.

THE CHAIRMAN pointed out that the hon. Member could not move his Amendment, because the division had already decided that the words "five thousand" should stand as part of the clause. The Amendment might, perhaps, if a fit occasion offered, be moved later on.

MR. ERNEST NOEL said, he was afraid that there was very little use in moving his second Amendment, and he would withdraw it.

MR. FRASER-MACKINTOSH moved, as an Amendment, in page 2, line 17, after "this Act," to insert—

> "In the burghs where at present the roads are partially under the charge of commissioners of police and partly under that of road trustees, then the burgh local authority shall mean the commissioners of police of such burgh."

The hon. Member said, that although there were a great many definitions in this clause, yet none of them met the case of his own burgh of Inverness, where there were several bodies having charge of the streets and roads within the Parliamentary bounds, and it was desirable to have only one authority.

THE LORD ADVOCATE wished it to be distinctly understood that this Bill dealt exclusively with turnpike or statute labour roads; and this particular clause was drawn with the distinct intention of conferring upon the authorities within burghs, who had charge of the proper streets within such burghs, the charge of all turnpike and statute labour roads which might be handed over to the burghs. But the Amendment of the hon. Member (Mr. Fraser-Mackintosh) was drawn in very general terms, and he (the Lord Advocate), though he agreed with the object of the hon. Member, was rather apprehensive of the effect which might follow its acceptance. For instance, it must suggest that there were to be road authorities, as distinct from street authorities within burghs—a state of things which he was most anxious to avoid. If the hon. Member thought the Bill did not sufficiently provide for Inverness, he should be glad to confer with him upon the subject, in order to the settling of a clause which would make the matter clear.

Amendment, by leave, *withdrawn.*

THE LORD ADVOCATE moved, as an Amendment, in page 2, between lines 22 and 23, to insert as a new paragraph—

> "'Statute labour' shall include moneys raised as the conversion of statute labour, or in lieu thereof, and bridge money;"

and, in page 2, line 24, to leave out after "labour" to "money" in line 25. The right hon. and learned Gentleman said, the object of the Amendment was to define statute labour, which was not done in the Bill.

Amendment *agreed to;* words *inserted.*

MR. C. S. PARKER moved, as an Amendment, in page 2, line 37, after "thereof," to insert—

> "But shall not include any bridge which any person is, at the commencement of this Act, bound to maintain at his own expense, and not from tolls, assessments, or moneys levied or collected for public purposes, or in respect of any such bridge."

His intention in moving the Amendment was, that the Act should not have the effect of releasing any company or private person from a previous obligation resting on them of maintaining bridges. The present definition left this open to some doubt, which the Amendment would remove.

The Lord Advocate admitted the propriety of the suggestion contained in the Amendment, and said he would accept it, if all the words after the word "expense" were omitted. The general terms would probably do.

Mr. ORR-EWING opposed the Amendment, and asked the hon. Member for Perth (Mr. C. S. Parker) to point out any private bridges which would be exempted from maintaining themselves under the Act. He wished also to know what effect the Amendment would have in respect to certain bridges in Dumbartonshire?

The LORD ADVOCATE said, the bridges to which the hon. Gentleman referred were or would be more properly described as ferries. That, however, did not matter, for an agreement had been come to with regard to them which would be protected in a special clause in the Bill.

Mr. DALRYMPLE thought the language of the Amendment was much too vague. If it was aimed at certain railway bridges and at a bridge owned by Lord Kinnoul, it ought to say so. As it was, it might be feared that the case of other bridges might be prejudged by language so general.

Mr. C. S. PARKER said, there were certain railway bridges in the neighbourhood of Perth which would come within the scope of the Amendment. There was also a bridge in private hands to which it would apply.

Mr. DALRYMPLE said, the words of the Amendment were so shadowy, that he was sorry they had been so easily accepted by the right hon. and learned Lord Advocate. The hon. Member for Perth (Mr. C. S. Parker) had said that his Amendment would include certain railway bridges, but there was no mention of any such bridges in his proposal. He (Mr. Dalrymple) was afraid that the Amendment would beforehand prejudice the case of certain bridges in Dumbartonshire, which could not, except by a great stretch of the imagination, be called ferries. He therefore thought it very desirable that the Amendment should be properly worded.

Mr. C. S. PARKER suggested that, if any hon. Members wished to protect the Dumbartonshire bridges, they should move the insertion of words which, if accepted, would have that effect.

The LORD ADVOCATE pointed out that the Bill only proposed to deal with highways and bridges which formed parts of highways. The words of the clause, as he proposed it, would meet the difficulty. He should be willing to frame the Bill in such a manner as to include bridges like those referred to. In their case, there existed a sort of feudal right to collect tolls on the bridges which had taken the place of the ferries which formerly existed at the points now occupied by them. He was sure the Committee would not think of depriving anyone of those rights without compensation. But these rights did not come within the Bill, and the object of the clause as amended was simply to prevent persons who were now under obligations to repair a bridge from being freed from that obligation.

Sir GEORGE CAMPBELL said, he must protest against the doctrine which the right hon. and learned Lord Advocate had just laid down, that these feudal rights in other peoples' pockets were to be maintained for ever. He thought the time had come when they might abolish these restrictions on freedom of movement and transit which had come down to them from former times. These Dumbartonshire bridges were an abominable relic of feudal times, and the system appertaining to them ought to be ended once and for all.

Amendment amended, by leaving out all after "expense," and *agreed to.*

On the Motion of Mr. C. S. Parker, further Amendment made, in page 3, line 14, after "include," by inserting "incorporated company."

Mr. ANDERSON, who had an Amendment on the Paper, to leave out the words in page 3, lines 15 and 16, "a Commissioner of Supply," and insert "not otherwise a trustee," said, it was his intention to propose that tenants should be admitted as trustees; but he thought the discussion would be taken better on another clause, and therefore he would bring it forward later on.

Mr. M'LAREN moved, as an Amendment, in page 3, line 23, to leave out the word "four" and insert "ten." As the law at present stood in Scotland, a property, for the purpose of creating political votes, might be divided into as many £10 as the rent represented, and each £10 gave a vote. This principle had been greatly abused in the creation of faggot votes, and it was much condemned. But this clause proposed to reduce it to £4 for road purposes, so as still further to lessen the qualification. For instance, in the case of a hotel worth £40, four Parliamentary votes were now conferred; but this clause would give 10 votes each of £4 for the election of trustees. He therefore moved to make the qualification the same in the Bill as it was in Parliamentary matters.

MR. ORR-EWING said, it was quite delightful to hear a Conservative speech from the hon. Member opposite (Mr. M'Laren); and if the Amendment was only intended to affect the class of people who allied itself much more to hon. Gentlemen opposite than to his Friends, he would have no objection to seeing them excluded altogether. But there were a large number of persons—joint proprietors—who paid £4 a-year, yet who did not make faggot votes. Were they to be excluded from voting?

MR. M'LAREN said, the hon. Member could not have read the latter part of the clause. The Amendment only applied to cases where a tenancy was divided in the way he had spoken of; and, therefore, while tenants of £4 would have a vote, joint occupiers must have £10 to entitle them to it.

MR. ORR-EWING said, he thought the political principle of the hon. Member opposite was, that all persons who paid rates should have votes.

MR. RAMSAY said, the hon. Member for Dumbartonshire (Mr. Orr-Ewing) was under a misapprehension. The Amendment would not exclude £4 tenants; but it would prevent the division of a tenancy among a number of persons for the purpose of creating votes. Sympathizing with the desire of the hon. Members for Edinburgh and Dumbartonshire to prevent the creation of faggot votes, he would support the Amendment that they should strike out the word "four," and insert the word "ten."

MR. VANS AGNEW said, that it was not likely that anyone would make faggot votes to elect a road trustee, and the effect of the alteration of the clause would be, that two brothers who were joint occupiers of a house worth £8 a-year would be disfranchised, whereas if occupying separate houses at £4 they would be enfranchised.

MR. R. W. DUFF did not think it at all likely that faggot votes would be manufactured.

SIR EDWARD COLEBROOKE pointed out that there were a great many joint proprietors who had no desire whatever to make faggot votes, and he thought it a pity to lay down a rule that would have very little practical effect so far as the management of roads was concerned.

MR. J. W. BARCLAY also declared the question to be of no practical importance, and hoped it would not be pressed. There would be no inducement whatever, that he could see, to create faggot votes, and if any such cases did occur they would be extremely few.

MR. M'LAREN said, he was willing to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

On the Motion of the LORD ADVOCATE, Amendments made in page 3, line 26, by leaving out "published," and inserting "circulating"; and in line 27, by leaving out after "may be," to "thereto," in line 29.

Clause, as amended, *agreed to.*

Continuance of existing Local Acts.

Clause 4 (Existing Local Acts to continue to 1st November, 1887, and end of next Session of Parliament).

COLONEL ALEXANDER moved, as an Amendment, in page 3, line 39, to leave out from "the" to "this," in line 42. The Amendment would have the effect of making the Bill permissive for an unlimited period, instead of as in the clause for 10 years. He thought it would be well to leave the counties unfettered in this matter, instead of providing, as the Bill did, that the Act should come into operation on the 1st November, 1887. Surely, every county was the best judge of its own necessities. Some counties which did not care to adopt the Act at the end of 10 years, might wish to do so at the end of 20 or 25 years, owing to their circumstances being changed by the formation of new towns, the growth of old ones, or the development of mineral resources. He, therefore, hoped the Government would accept the Amendment.

The LORD ADVOCATE said, it was quite impossible to assent to the alteration proposed.

Amendment *negatived.*

Dr. CAMERON moved, as an Amendment, in page 3, line 39, to leave out from "November," to "Parliament" in line 41, inclusive, and insert "eight hundred and eighty." He proposed that date, because he found that the Turnpike Acts expiring then, included the whole of the Turnpike Acts of Scotland with the exception of 22. He thought it most anomalous and absurd, that for the sake of those 22, no fewer than 135 Turnpike Acts should be continued for 10 years. If his Amendment were adopted, the tolls would be abolished in May, 1880, so that there would be ample time for the new system to come into operation. The right hon. and learned Lord Advocate had made an objection as to the difficulties involved in existing contracts; but there was not anything in that, for the simple reason that no person had any right to contract on the faith of the renewal of Acts which were about to expire.

Sir WILLIAM CUNINGHAME maintained that the 10 years' delay, provided by the Bill, was not unreasonably long for the making of arrangements.

Sir ROBERT ANSTRUTHER supported the Amendment, observing that he could not conceive that the Home Secretary really meant the date of 1887 which was in the Bill. The Committee had heard no reason, and he did not think that one existed, for the maintenance of these trusts, almost the whole of which had expired. He had a Return showing when the Turnpike Acts were obtained, and when they would expire, and he found that the whole of the trusts of Ayrshire, if they were only left alone, would absolutely expire in 1879. In his own county the whole of the trusts had long ago expired. The whole of the trusts of Perthshire—a large number—had expired. One, the trust of Dunning, expired in 1829, six or seven years before he was born. Did the Home Secretary really mean that a trust which expired in 1829 required to be renewed till the year 1887, in order to enable trustees to make terms with the County Road Boards? The proposal of the Government was absurd. ["No, no!"] Well, almost absurd, and for this reason—that if they existed in the happy country South of the Tweed, those turnpike trusts would have to show cause before a Committee why they should be continued. He had sat on that Committee eight or nine years, and he undertook to say that not one of those trusts, if cross-examined, could show cause why they should be continued one year. Yet, without the slightest investigation of any kind, the Government proposed that all the trusts, whose Acts had expired, should be continued to the year 1887. Unless some very powerful reasons were given why that should be done, he thought they should be compelled to divide against a proposal so contrary to the spirit of a Bill which was introduced to put an end to all such pre-Adamite things, which seemed to prevail only in Ayrshire. He entreated hon. Members to let the Bill come into force while some of them at least were alive. The right hon. and learned Gentleman himself (the Lord Advocate) must wish to see some of the fruits of his own exertions, and he hoped, therefore, he would see his way to accepting the Amendment.

Mr. ORR-EWING joined in the hope that the Lord Advocate would give some weight to the considerations which had just been adduced. He regarded 10 years as too long, and thought that three would be sufficient.

Mr. BAXTER said, that, as a warm supporter of the Bill, and as one who desired to see it passed, he earnestly entreated the Government to give way to some extent in this matter. The point which had been raised was one upon which there had been a remarkable concurrence of testimony on the part of those who were in favour of the principle of the Bill, and who were anxious as much as possible to help the Lord Advocate. No doubt, some time would be required to make the arrangements which the passing of the measure would render necessary, but 10 years were really out of the question. He was quite prepared to vote for the Amendment of the hon. Member for Glasgow (Dr. Cameron). If a compromise could be agreed upon, he believed that three years would be found to give satisfaction.

Lord ELCHO remarked that if the Bill was a good one, it ought not to be 10 years in coming into operation. He suggested a compromise of three or five years.

MR. RAMSAY said, the proposal to delay the Bill for 10 years simply indicated that the Government had not much confidence in the beneficial character of the measure; but he believed Ministers might rest satisfied that when it came into operation, they would be thanked for having promoted it. If any danger was likely to result from a speedier application of the provisions of the Bill, he should be the last to insist upon it; but there was no such danger, and the Bill was a proper one. He urged the adoption of the Amendment.

SIR WINDHAM ANSTRUTHER pointed out that there was a provision in the Bill under which, if a county desired, it could make application to the Home Secretary for a Provisional Order to bring the Bill into operation. If the measure was so popular in Scotland as had been said, and if it had been imperatively demanded, why not have regard to this provision, and allow the term named by the Lord Advocate to remain?

MR. M'LAREN said, the phrase in the Bill was, that application to the Home Secretary might be made, not must be made. Who were to apply? It must be the Commissioners of Supply, and hon. Members must know that these gentlemen would not apply, and so there was an end of the matter. If four years were right as regarded Lanarkshire and Renfrewshire, why should a similar period be wrong for smaller counties? As the noble Lord the Member for Haddingtonshire (Lord Elcho) had well said, if this was a right thing to do, do it at once. Why wait 10 years? He (Mr. M'Laren) supported the Amendment on the ground that the House should retain its character for honesty, and if the Bill was passed as it stood, its title would have to be altered, and it would have to be termed—"A Bill to continue for ten years all the Expired Trusts in Scotland —three-fourths of the whole — behind the backs of the People."

MR. BALFOUR remarked that, although there might be difficult questions, people who required 10 years to adjust their differences must either have an infinite capacity for quarrelling with their neighbours, or an infinite incapacity for managing their own affairs. He hoped the Government would make some concession with regard to what appeared to be the general feeling in the matter.

MR. J. W. BARCLAY supported the Amendment, remarking that there would be no difficulty whatever in bringing the Act into operation. He was sure the Government would be doing a great service to the country, if they put a little pressure, not on the ratepayers who were desirous of the Act, but on the Commissioners of Supply. These latter, though apparently paying nothing for the maintenance of the roads at present, would in reality benefit as much as anybody, by the abolition of tolls. He hoped the Government would see their way to accept 1880 as the date for the abolition of tolls. In his opinion, there was nothing to prevent that being done, and all the necessary arrangements completed by that time. In 1874, his own county—Forfarshire—obtained a private Act dealing with the statute labour roads, so that his constituents had considerable experience of the operation of such Acts. They paid, he was sorry to say, a very high assessment; but that was owing to the procuring of the Act having been so long delayed, the result being that the roads fell into disrepair. Notwithstanding the high assessment, the whole of the landlords and tenants were in favour of going still further, and obtaining an Act for the total abolition of tolls in the county of Forfar. There was one disadvantage which would result in so long a delay as 10 years which had not been touched upon, but to which he might advert. The roads would be allowed to fall into a state of great disrepair, as they had done in a great many counties already, and when the Act was adopted the expense of repairing them would be found to be more than the ratepayers could be asked to pay, and very likely borrowing powers would be required. Moreover, the creditors of the roads would endeavour to have their debts estimated at a higher rate than they ought to be. For these reasons, he hoped the Government would accept the Amendment.

COLONEL ALEXANDER hoped that the Lord Advocate would not give way on what was the only good part of the Bill. He trusted that the right hon. and learned Gentleman would so far give attention to a representation coming from so benighted a county as Ayr, as to retain the provision to which the hon.

Member for Glasgow (Dr. Cameron) objected.

Sir EDWARD COLEBROOKE said, the proposition of the Government had had some reason in it when first brought forward, because there was great advantage in allowing time for arrangements to be made between landlords and tenants; but as the question had now been so long before the public, there was no necessity for the term previously suggested; and four or five years would afford the parties ample time to make fresh arrangements.

Lord ELCHO said, with reference to a remark made by the hon. Member opposite (Mr. Barclay), it was practically the owners and proprietors who paid in the long run whether they had a system of tolls or assessment, and this was a point which should be borne in mind in discussing many of the Amendments on the Paper as regarded the Bill.

Mr. J. W. BARCLAY said, he had no doubt that considered from a politico-economical view, the statement of the noble Lord was quite correct; but why not therefore follow out the reasoning, and let the proprietor pay the tax in the beginning so as to save the tenant's pocket, and spare the trouble of collection?

Lord ELCHO said, the question was not one of political economy, but of fact. If a man were about to take a house, he inquired what the taxes were; and if he were about to rent a farm, he asked what charges the land bore.

Mr. MARK STEWART concurred with the observations of the noble Lord (Lord Elcho). One point which had not been brought sufficiently under the notice of the Government was the increase of assessment in those counties where tolls had been abolished. Suppose a tenant had just taken a farm on a lease of 19 years, it was extremely hard that he should be called upon without notice to pay an increased assessment, which such a measure as this would involve. He hoped the Government would take the point into their consideration.

Mr. M'LAGAN said, the reply to these observations was that the House did not legislate for the proprietors and tenants of holdings merely, but for the country generally. He could see no good reason why the Amendment which proposed that the Bill should come into operation much earlier than the time the Government had fixed should not be agreed to. The question had been before the public for nearly 30 years, many Bills on the subject had been brought forward during the last 17 years—so that the public mind was thoroughly educated on the subject. The promoters of private Bills for different counties had not asked for a delay of five years before they came into operation, but that they should commence the very next year after they had been passed; and if these counties were able to make their arrangements in one year, why could not other counties put this Bill into operation within a reasonable period? The public of Scotland were now convinced that the abolition of tolls was inevitable, so that the sooner the Act was brought into operation the better. The Government would only be consistent if they brought this Bill into operation simultaneously with the arrangement proposed for Lanarkshire and Renfrewshire—namely, four years from the present time.

Mr. LYON PLAYFAIR said, the Government must see that, with very few exceptions, the Committee were strongly in favour of having the time at which the Bill was to come into operation shortened, and if they would accept three years, he thought the hon. Member for Glasgow (Dr. Cameron) would not divide. That time would give ample opportunity to make all the necessary arrangements, as the Scotch, being a practical people, would lose no time in making the necessary arrangements. They would not care to linger for a long period over what they knew had to be done. He trusted that the Lord Advocate would accept three years, and thus save them from the waste of time which the taking of a division would involve.

Colonel MURE desired to repudiate most emphatically the suggestion that road trustees would be likely to starve their roads with a view to promote their own interests by increasing the debts upon them. He had never heard a more unworthy argument used in that House. [Mr. J. W. Barclay said, it was true, nevertheless.] He must still deny it. As to the Amendment, he supported the view of the hon. Member for Linlithgowshire (Mr. M'Lagan), believing that as the question had been so long before the House and the country, it would be better to shorten the time at which the Bill was to come in force; 1882 would be a very good year to fix.

THE LORD ADVOCATE said, he had been informed that the arrangement in respect to Lanarkshire and Renfrewshire had been made at the wish of the people of Glasgow. As to the Amendment, after the feeling expressed that evening by the Committee, the Government were ready to consider the question and make a proposal on a future occasion; but they would oppose the specific proposition before the Committee, if it was pressed.

MR. ANDERSON said, it was quite true that the people of Glasgow had been anxious to have a settlement of the arrangement proposed for Lanarkshire and Renfrewshire as speedily as possible; but Glasgow was not then aware of the sort of provisions that were to be imposed upon her. If the Bill was a good one, the sooner it was brought into operation the better; but there was no such immediate haste for it if it were a bad measure.

SIR GEORGE CAMPBELL considered the statement of the right hon. and learned Lord Advocate to be unsatisfactory, and asked for a definite pledge as to what the Government would do.

MR. BAXTER was also disappointed at the course taken by the Government. Since he had been in the House, he did not remember to have seen so great a unanimity exhibited on any point as had been shown on this; for only two or three Scotch Members had said a word in favour of the long period, while 100 were in favour of the shorter term proposed.

MR. ASSHETON CROSS said, he wanted, in the first place, to say a word in answer to the hon. Baronet the Member for Fife (Sir Robert Anstruther). Alluding to the noble Lord who presided over the Committee that sat on the English turnpikes (Lord George Cavendish), he rather suggested that the Scotch roads were referred to him to deal with in the same manner as he had with the English roads. But there was a great difference in the circumstances of the two. The noble Lord had, in the case of the Scotch roads, to consider not only whether the turnpikes should be abolished, but what arrangement should be made subsequent to this; whereas, in the case of the English turnpike trusts, when they ceased to exist, there were bodies who would look after the maintenance of the roads. That being so, it was undoubtedly necessary that there should be a considerable time allowed in Scotland owing to the length of the leases. The feeling on both sides of the Committee seemed to be that the time should be shortened —["No, no!"]—with two exceptions—[*Renewed cries of* "No!"]—then with three exceptions—["No!"]—he would say four—with four exceptions, he believed, that was the general feeling of the Committee —["No, no!"]—well, he would say five. That being so, they were now asked to reverse their course, and fix on the year 1880 for the total cessation of tolls. To that time he was most decidedly opposed. He was quite sure, so far as he had been able to understand the matter, that would not be satisfactory in many of the counties. The Government had been told that they ought to be more definite in what they said. What he was going to say was, that he was quite willing at the present moment to restore the Bill to the same position in which it was when it was originally brought in, and put in the word "five" years instead of "ten."

DR. CAMERON had hoped the right hon. Gentleman the Home Secretary would have accepted three years, or left the matter open, and then he (Dr. Cameron) would at once have withdrawn the Amendment. As it was, he considered five years would be too long; he was, therefore, constrained to divide on the Amendment, and he hoped other hon. Gentlemen who had Amendments on the Paper would re-test the question.

COLONEL ALEXANDER said, he was dissatisfied with the proposal of the right hon. Gentleman. Ten years was understood to be a concession to those who had objected to the Bill, but now that period was abandoned. Neither the Home Secretary nor the right hon. and learned Lord Advocate had vouchsafed a single syllable in reply to the statement of the case of one of the most important counties in Scotland. He quite agreed with the statement that the Bill would make Her Majesty's Government very unpopular, especially in his county, and would probably lead to the return of two Liberal Members at the next Election. In order to give the Government an opportunity of re-considering the matter, he would move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Colonel Alexander.*)

Mr. ASSHETON CROSS hoped the hon. and gallant Member would not press the Motion, as it would have the effect of stopping the Bill on a night long appointed for its discussion. He did not know he had anything more to explain. The Government thought five years would be sufficient when they first introduced the Bill, and he would return to that period in deference to the general feeling of the Committee.

Sir ROBERT ANSTRUTHER said, he had given a general support to the Bill; but what his hon. and gallant Friend had said as to the probable return of two Liberal Members for Ayrshire if the Bill were passed had greatly increased his enthusiasm for the measure. That was a prospect that was most cheerful for the Liberal Party in the House. He was afraid the hon. and gallant Gentleman was a hopeless irreconcileable against the Bill. They were all, according to him, going to the dogs; but his protest had been ignored by the Government. He seemed to think, too, that there was no county or part of Scotland but Ayrshire which was to be considered for a moment; but there were other counties and other interests that required to be thought of besides Ayrshire. They had now to deal with the proposal of the hon. Member for Glasgow (Dr. Cameron), and its acceptance or partial acceptance by the Government. They had not got all they wanted, but they had got a considerable concession. The Government were now clothed, and in their former mind—whether it was their right mind or not—and they were going to act on the proposal made two years ago, and continue these obsolete and expiring trusts for five years instead of 10. Considering they had not been long in Committee, he thought that was a hopeful prospect. He trusted hon. Members would not complicate matters. He thought the hon. Member for Glasgow had had a most satisfactory answer from the Government, and his advice to him would be to refrain from a division, and accept the offer of the right hon. Gentleman the Home Secretary to have the date 1882 inserted instead of 1887.

Sir GEORGE CAMPBELL said, that if they took five years off 1887, they would have 1882. If five years had been added to the time when the Bill was brought in, the date would have been 1880.

Mr. ASSHETON CROSS said, he proposed to add five years from this time, and make 1883 the time for the commencement of the Act.

Mr. ORR-EWING believed that if the counties had power, by a majority of the Commissioners of Supply, to select the time, most of them would adopt the Act long before the five years had expired.

Dr. CAMERON said, that if the Act did not come into operation until November, 1883, as fixed by the Bill, the tolls would not be abolished until the following May. He would not press his Amendment to a division, if the Government would substitute 1882 for 1887.

Colonel MURE thought that the Government had been rather inconsistent in granting four years for Lanarkshire and Renfrewshire, and insisting on five years for the remaining counties of Scotland. Why not accept one period for the whole of the country?

Mr. R. W. DUFF hoped the Government would give way. Long leases prevailed in Lanarkshire and Renfrewshire where the short period had been fixed.

Mr. J. W. BARCLAY said, the insertion of 1882 in the Bill, instead of 1887, would mean that the tolls would not be abolished until Whitsuntide, 1884. He suggested leaving out the words "until the end of next ensuing Session of Parliament," and fixing the date at Whitsuntide, 1882. He thought it would very much simplify matters if it were made absolute, so that the clause should read 1882 or 1883; and he would recommend the hon. Member for Glasgow (Dr. Cameron) to accept that compromise.

Mr. M'LAREN said, he would agree to compromise the matter by the insertion of 1882.

Mr. ANDERSON was in favour of such an alteration in the clause as would make it more absolute, and he thought the exact term which Government was about to fix for Lanarkshire—namely, June 1882, would be the most suitable.

Mr. ASSHETON CROSS did not think the matter was worth fighting about. He proposed that June, 1883, should be inserted.

Sir GEORGE CAMPBELL remarked, that in substance the question had arrived at the point for which he had been arguing. He understood that the right hon. Gentleman now conceded until June, 1883?

Motion, by leave, *withdrawn.*

Dr. CAMERON said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

The LORD ADVOCATE moved to leave out the words "November, 1887, and to the end of the then next Session of Parliament," in order to insert the words "June, 1883."

Mr. J. W. BARCLAY thought it would be necessary to leave out more words, in order to carry the intentions of the right hon. Gentleman the Home Secretary into effect.

Dr. CAMERON said, the clause as it stood would not carry out the abolition of tolls until the May following June, 1883, as, according to Section 33, they were not to be done away with until the May following the adoption of the Act.

The LORD ADVOCATE said, that all they could consider at that moment was Section 4, and not Section 33. It would not be competent to levy any tolls after June, 1883.

Mr. ASSHETON CROSS said, he wished that no tolls should be levied after the date, and the Lord Advocate would see that that principle was carried out in the wording of the Bill.

Amendment *agreed to;* words *substituted.*

Clause, as amended, *agreed to.*

Clause 5 (Certain Local Acts made perpetual).

On the Motion of The Lord Advocate, the following Amendments made:—In page 3, lines 41 and 42, leave out "Parliament otherwise provides;" and in page 4, line 15, leave out after "such Act" to "perpetual," in line 16, and insert "shall continue in force until this Act shall be adopted in such county."

Mr. BALFOUR inquired whether the clause would allow a county to continue its present Acts for any indefinite time?

The LORD ADVOCATE said, he could see no objection to counties continuing to administer the roads; but the question involved was really a matter of agreement between burghs and counties. Where, however, only one-third of the maintenance of the roads was borne by the landlord, and two-thirds fell upon the tenants, as in the case of a Private Act, it was not proper that the former should enjoy the right of assessing the latter in perpetuity. The Act should not continue in force beyond the term of its natural existence. With the leave of the Committee, he would bring up a clause to effect the object in view at a later stage of the Bill.

Clause, as amended, *agreed to.*

Adoption of the Act.

Clause 6 (How Acts may be adopted in counties).

Colonel ALEXANDER moved, as an Amendment, in page 4, line 19, after "Act," insert the following sub-section:—

"This Act may be adopted in whole or in part; that is to say, in parts, sections, or clauses, and a resolution to adopt this Act in part shall specify the parts, sections, or clauses so adopted, and no part of this Act which is not so specified shall be held to be adopted, except so much thereof as is requisite for giving due effect to, or as in any way modifies, affects, or controls the parts, sections, or clauses so adopted, to which extent this Act shall be held to be as effective as if the whole had been adopted according to the true intent and meaning of this Act; and any general or local Act or Acts relating to roads, highways, and bridges in a county in which this Act shall be adopted in part shall remain in force in so far as not inconsistent with the parts, sections, or clauses so adopted."

The LORD ADVOCATE promised to consider the question before the Report, with a view to bringing up a clause dealing with it.

Amendment, by leave, *withdrawn.*

Mr. FRASER-MACKINTOSH, in moving, as an Amendment, in page 4, line 25, after "county," to insert—

"Such adoption also to include the abolishing any tolls or pontages still being exacted under the authority of any special Act, and of undertaking the trust thereby created, and liabilities of the same, and providing for such liabilities out of the general assessments authorized by any other Act in force in the county; and that,"

said, it was specially intended to meet

the case of a bridge in the county of Elgin. Tolls were abolished in the county of Elgin, but the pontage over the Findhorn Bridge, levied under a special Act, was excepted. Under the Amendment, the county of Elgin could, if so disposed, take the Findhorn Bridge, which cost over £6,000, for little more than £1,000, being the balance of debt still subsisting; and the abolishing of the pontage would be most advantageous.

The LORD ADVOCATE thought the Amendment would be an embarrassment in the clause, and he recommended the hon. Member to consider whether it would not be better to bring Elgin within the list of counties entitled to avail themselves of the provisions of the Act, instead of inserting the Amendment in the clause.

Mr. FRASER-MACKINTOSH agreed to the suggestion.

Amendment, by leave, *withdrawn.*

Sir WILLIAM CUNINGHAME proposed an Amendment, the object of which was to place burghs in the same position as counties with regard to the Bill. He was not prepared to maintain that the plan he had chosen was the best that could be devised for the carrying out of his object; but if the principle were admitted, he would be glad to leave the matter in the hands of the Lord Advocate.

Mr. TREVELYAN feared that, unless the subject were carefully considered, the insertion of these words would give rise to extremely complicated arrangements. If there were any outstanding financial question between the burgh and county, he thought it would be dealt with better under Clause 8 than by a sub-section of Clause 6, as now proposed.

The LORD ADVOCATE agreed with the hon. Gentleman who had last spoken, that the insertion of this Amendment might give rise to great complication. He confessed he had some difficulty, without greater explanation, in knowing what the Amendment really meant.

Sir WILLIAM CUNINGHAME agreed that it would be more convenient to postpone the Amendment, and take further discussion upon the subject when the Committee reached a later clause. He would therefore withdraw it.

Amendment, by leave, *withdrawn.*

Sir ALEXANDER GORDON moved to leave out, at page 4, line 29, the words "thirty days," in order to insert "six months." The object of the Amendment was not to delay the operation of the Act, but to give a reasonable time for the consideration of so important a measure. There were half-yearly meetings held, at which the business of the county was transacted; and if six months' notice were allowed, that notice might conveniently be given at one of the meetings, and be acted upon at the next. His constituents were very anxious that more time should be given than 30 days. If the Lord Advocate objected to six months, perhaps the right hon. and learned Lord would agree to three months' notice of the adoption of the Act.

Mr. RAMSAY said, the hon. Member seemed to be under some misapprehension as to the effect of the clause. Instead of having only 30 days' notice with regard to the adoption of the Act, the county would have all the time allowed within the limits of the Act that the convener, or the Commissioners of Supply, might avail themselves of; because it was on a requisition by those Commissioners to the convener that action was taken.

Sir ALEXANDER GORDON was under the impression that the road trustees, and not the Commissioners of Supply, took action in the matter.

Mr. RAMSAY said, they were not one and the same body in all cases; but they were usually identical where tolls and statute labour had been abolished; and these were in the majority.

Amendment *negatived.*

Mr. VANS AGNEW moved to leave out, at line 30, the word "convener," in order to insert the words "chairman of the road trustees." The clause referred to those counties where tolls and statute labour had been abolished, and road trustees established. They were to be called together at 30 days' notice; but the duty of calling them together, he proposed, should devolve upon the chairman of the road trustees, and not upon the convener of the Commissioners of Supply.

Amendment *agreed to; words substituted.*

COLONEL ALEXANDER moved, at page 4, line 38, to omit "one year," in order to insert the words "three years." The object of the Amendment was to prevent the annual inconvenience and expense to which a county would be subjected if the Commissioners of Supply, after a decision had been come to respecting the adoption of the Act, were allowed to call another meeting and set aside that decision within the short period of 12 months.

MR. M'LAREN opposed the Amendment. This Bill sought, as one of its especial objects, to facilitate the abolition of tolls, and the Amendment would have the tendency to delay that proceeding.

THE LORD ADVOCATE doubted whether the alteration was a desirable one.

Amendment *negatived.*

SIR WILLIAM CUNINGHAME, in moving, as an Amendment, at page 4, line 38, after "thereafter," to insert the following sub-section :—

> "1a. In those burghs situated in counties in which tolls and statute labour have been abolished or are not exigible, or power has been obtained to abolish them or to arrange for their abolition, this Act may be adopted instead of the local Act or Acts relating to roads and highways and bridges therein in force, on a resolution to that effect agreed to by not less than two-thirds of the ratepayers present and voting at a meeting called by special advertisement on not less than thirty days' notice, for the purpose of considering as to the adoption thereof, and the provost or chief magistrate of any such burgh, on a requisition to that effect signed by any six ratepayers being presented to him shall call a meeting of the ratepayers with a view to consider a resolution in favour of the adoption of this Act; in the event of such a resolution not being carried by the requisite majority as aforesaid, it shall not be lawful to call another meeting with a view to the adoption of this Act for one year thereafter; in the event of such a resolution being carried the Act may be adopted subject to an agreement entered into between the local authority of such burgh and the local authority of any neighbouring burgh or burghs, or the county road trustees of any county or counties in which such burgh is situated,"

explained that the effect of this sub-section would be similar to that of the Amendment which he had previously withdrawn—namely, to place burghs in the same position as counties with regard to the Act. The hon. Member for the Border Burghs (Mr. Trevelyan) had on the Paper an Amendment similar to this one in effect, differing from it only with respect to the last part of it. His own opinion was that burghs situated in counties where tolls and statute labour had been abolished, should be entitled to the benefits of the Act, and ought not to be placed in a worse position than the counties which had not adopted, but which might at some future day adopt, the Act.

MR. TREVELYAN hoped the Lord Advocate would consider the intrinsic justice of this proposal. If the right hon. and learned Lord would do so, the Committee might safely leave to him the precise form in which to carry it into effect. He would mention the special case of the county of Selkirk in support of the justice of this proposition. In 1867, that county obtained an Act, by which tolls and statute labour were abolished. The Act was carried out by the body of trustees who were taken from the Commissioners of Supply of the county, and from among the gentlemen in the burghs who had the same qualification as Commissioners. The burgh of Selkirk, and the burgh of Galashiels, sent one representative to the board. The council, having only one vote on the board, discovered that they did not possess as much power as they thought they had a right to exercise. The burgh council wanted now to take the care of its own roads, and it would be free to place itself under Clause 11, if the county trustees agreed to adopt the Act; but it was doubtful whether the trustees would adopt the Act. Therefore, under these circumstances, it was only fair to enable local authorities like those of Selkirk to take advantage of Clause 11, and manage their own roads. There was one important difference between his own Amendment on the subject and that of the hon. Member (Sir William Cuninghame) now before the Committee. The hon. Gentleman's proposal was that two-thirds of the ratepayers should decide whether this Act should be adopted, and that six ratepayers were to present a requisition to the provost or chief magistrate for a meeting to be called; whereas his own Amendment proposed that two-thirds of the local authority should decide, and that the requisition should be signed by any five of the local authority. There was very good reason for this Amendment. In England, it was all very well to call upon the ratepayers in general to determine whether their education was to be managed by a school board or by self-appointed trustees; and it was all very well to ask the ratepayers in Scotland and England to decide whether they would take advantage of the Public Libraries Act; but it was quite a different matter when exceedingly complicated and delicate questions of finance in a burgh or county had to be dealt with. He did think that these were questions for the consideration of men of business elected to represent the burgh in the town council. He therefore urged the Lord Advocate to allow this, or some clause to the same effect, to be inserted in the Bill.

Mr. MARK STEWART said, the trustees appeared to have the exclusive power under the clause of adopting the general Act. No doubt, the Commissioners, in the first instance, appointed the trustees; but still, he thought there should be an appeal from the trustees to the Commissioners. It had been the subject of warm comments out-of-doors that the whole of the powers were taken out of the hands of the Commissioners and vested in the trustees. That he did not think was the intention of the Government; and he, therefore, hoped the right hon. and learned Lord Advocate would bring in a clause to make the necessary alteration on Report.

The Marquess of LORNE said, in some cases the adoption of the Act under its terms would be an injustice to neighbouring districts, unless it be provided that burghs now assessable for district roads be prevented from adopting the Act, unless an agreement be previously made with the district road trustees.

Mr. TREVELYAN admitted that injustice would be done in some instances. In cases where financial arrangements had to be made between county and burgh, Clause 8 provided a simple and effective remedy; and as the Amendment moved by the hon. Member for the Ayr Burghs (Sir William Cuninghame) had not been adopted in regard to counties, he did not see why it should be applied in the case of burghs.

The LORD ADVOCATE apprehended that great confusion would arise if a burgh were permitted to adopt the provisions of this Act without coming to some agreement with the county. It would upset the whole arrangement upon which the provisions of the Local Act were based. He admitted that there might be some exceptional cases.

Mr. TREVELYAN moved to amend the proposed Amendment by substituting, in line 6 of the sub-section, "two-thirds of the local authority of such burghs" for the words "two-thirds of the ratepayers," and in line 10 "any five of the local authority" for "any six ratepayers."

The LORD ADVOCATE feared there would be great difficulty in carrying out the sub-section in its present form. He would, however, undertake to frame a clause which he hoped would meet the views of the two hon. Members.

Amendment (*Mr. Trevelyan*), by leave, *withdrawn.*

Amendment (*Sir William Cuninghame*), by leave, *withdrawn.*

Mr. ANDERSON (for Mr. M'Laren), moved, at page 4, line 42, to leave out the words "not less than two-thirds," in order to insert "a majority." The hon. Member, who himself had a similar Amendment on the Paper, said, it would be prudent to adopt the proposal of his hon. Friend, because its object was to facilitate counties taking advantage of the Act; and it would be easier to arrive at that end by simply stating that a majority should decide the matter.

Sir ROBERT ANSTRUTHER, in supporting the Amendment, pointed out that a majority was allowed to decide all other questions connected with county administration, and he was at a loss to know why, in this instance, a majority of two-thirds should be required. It was doubtful whether, in all cases, the votes of two-thirds of the Commissioners of Supply would be secured.

Mr. VANS AGNEW said, one good reason for requiring a majority of two-thirds was, that if only 30 days' notice were to be given, several of the Commissioners of Supply, who happened to be abroad, would probably be unable to attend the meeting, and the duty of carrying out an important change in the business of counties would consequently devolve upon such a majority as might be in attendance, who would probably not be a majority of the whole number.

Mr. RAMSAY held that if a majority of two-thirds were insisted upon, it would have the practical effect of throwing an obstable in the way of the adoption of the Act. He, therefore, recommended the acceptance of the Amendment.

MR. ORR-EWING also supported the Amendment, and hoped the Government would accede to it.

MR. J. W. BARCLAY thought it would be only fair to give to a majority, however bare, the right of deciding upon the question of introducing the Act. If the stipulation of the clause, that there should be a majority of two-thirds in favour of the Act, were insisted upon, it would give a very considerable power to any small knot of obstructives to oppose the view of the Legislature in introducing this measure, and he sincerely hoped the Government would give way.

MR. MARK STEWART hoped the Government would stand firm in this matter. They had already indicated their policy, and he saw no reason why they should recede from it. He failed to see the urgency for this new form of compulsory vote, since, as the matter stood now, the worst that could happen to any county would be that it would not have the Act for five years.

MR. R. W. DUFF urged the Committee to support the Amendment, and relegate the acceptance or rejection of the Act to a simple majority. In the earlier part of the debate that evening, the Commissioners of Supply had been referred to in rather severe terms, and some doubt had been expressed as to the wisdom of giving them the initiative in the matter of introducing the Act. But the past conduct of these bodies did not justify this impression, and he wished to remind the Committee that it was a majority of these Commissioners who invoked the remission of tolls in half the counties of Scotland where they were already abolished.

MR. ANDERSON hoped the Government, after the strong expression of opinion in the Committtee, would give way. The object of the Amendment was simply to facilitate the adoption of the Act, and he was bound to assume that the Government themselves desired the general acceptance of their own Act. If they considered it a good Act, why not do all they could to get it adopted? while, to reject this proposition, would simply be admitting that their measure was, in their own eyes, not a good one. If the clause were passed as it now stood, he was afraid there were many counties in which the limitation time would be allowed to run without the requisite majority being obtained.

SIR WINDHAM ANSTRUTHER appealed to the Government to adhere to their present course. It was only a matter of five years.

MR. J. W. BARCLAY said, if the Government decided to adhere to this new principle in their legislation of requiring a majority of two-thirds, it would be necessary to take the sense of the Committee upon the point. It occurred to him that there was no similar instance of the Government recommending the adoption of an Act to the country, and then weighting their own recommendation with a condition like this. If the majority of the Commissioners of Supply resolved to accept the Act, their decision should be allowed to have effect, otherwise the Government would simply be giving the minorities in counties power to rule over the majorities.

LORD ELCHO remarked that the feeling on his side of the House seemed to be that the Government should not give way; but he thought it very desirable that they should. There had been no answer given to the argument urged on the other side in favour of the simple majority; and, certainly, in his opinion, it was not desirable that the minority of the trustees of a county should have power to prevent the majority obtaining a measure which they desired. The matter did not affect his county, which had local Acts; but he could not but believe that the sooner the general Act was introduced throughout Scotland the better.

THE LORD ADVOCATE said, the proposition was one that the Government could not regard as likely to weaken the force of the Bill, and he would not offer any opposition to it.

Amendment *agreed to.*

MR. RAMSAY, in order to make the clause consistent throughout, moved, in lines 35 and 36, and in page 5, line 9, the substitution of the words "a majority" for "the requisite majority."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 7 (Provision for case of one county adopting, and another county not adopting, the Act) *agreed to.*

Clause 8 (Act may be adopted, subject to provisional agreement between county and burgh. Confirmation by Secretary of State).

Sir WILLIAM CUNINGHAME said, he had given Notice of a number of Amendments, which he now proposed to withdraw; and he should beg to take the same course with reference to the Amendments to Clause 9, which stood in his name, as they were of the same character as those proposed upon Clause 6, and which had been withdrawn on the understanding that the right hon. and learned Lord Advocate would consider in what form the object they aimed at could best be carried out.

Mr. ORR-EWING moved, as an Amendment, to add the following words at the end of line 29, page 6:—

> "Provided always, that if the local authority of any burgh, the population of which according to the Census then last taken, does not exceed 20,000, shall not have entered into any such agreement with the commissioners of supply previously to the adoption of this Act, the county road trustees of the county may at any time enter into an agreement with such local authority for the payment by such local authority to such trustees of an annual sum in consideration of the loss of tolls and statute labour, conversion money or county road assessment, which will be sustained by such trustees (as coming in place of the existing turnpike and statute labour trustees) in consequence of the adoption of this Act, and of the over-average cost, if any, of maintaining the roads around such burgh; and if such county road trustees and local authority fail to enter into such agreement, such trustees may require such local authority to concur with them in referring to arbitration what annual sum, if any, should, according to equity and in all the circumstances of the case, be paid by such local authority to such trustees as aforesaid; and such arbitration shall be conducted in the manner prescribed by the provisions of 'The Companies Clauses Consolidation (Scotland) Act, 1845,' with respect to the settlement of disputes by arbitration, which provisions are for that purpose incorporated with this Act."

The object of his Amendment was to enable burghs and counties to come to an arrangement, whereby the former should come under the operation of the Act, to be reached through the medium of arbitration, if they could not of themselves come to terms. That would be better in case of disputes—at least, less costly than having recourse to Parliament for a Provisional Order, which they all knew was a very expensive process when opposed. The cost of such an application might not be much to a large and wealthy county; but to small counties and small burghs it might possibly have a prohibitory effect. The adoption of his suggestion would not in any way prevent the adoption of the provisional agreements between counties and large burghs which were to be made subject to the confirmation of the Home Secretary under Clause 9.

Mr. MARK STEWART moved, as an Amendment to the said proposed Amendment, that the limit of population should be "five thousand" instead of "twenty."

Colonel MURE suggested that a specified time should be named to intervene between the proposition for agreement and the reference to arbitration, and that the Amendment should run thus—

> "And if such county road trustees and local authority fail to enter into such agreement within three months."

The LORD ADVOCATE said, the Amendment was hardly in accordance with the principle of the Bill. The intention of the Bill certainly was that upon the adoption of the Act for the abolition of tolls a burgh should start with all its arrangements made, and the same with regard to the counties. The Amendment contemplated a totally different state of things—namely, that they were neither to have the agreement under Section (*a*) before adopting the Act, or at the time of the adoption of the Act, nor were they to have the provisions of the Bill put into operation at the time of its adoption. It further contemplated the making of claims subsequent to the adoption of the Act, as against the intention of the measure, which was that the burgh or county should start with an administration which was not to be subject to revision.

Mr. ORR-EWING said, his intention was quite the reverse of that now ascribed to his Amendment.

Dr. CAMERON remarked that the boroughs and counties in the hon. Gentleman's (Mr. Orr-Ewing's) neighbourhood did not appreciate the facilities he was desirous of obtaining for them, and they had actually sent up a deputation to protest against his Amendment.

THE LORD ADVOCATE said, that what the Amendment was really meant to secure could easily be obtained if the two parties were reasonable. It was within their power to refer any matter in dispute to two or three gentlemen who could frame an agreement on the basis of their calculations. It was quite another thing to ask Parliament to grant compulsory arbitration.

Amendment to said proposed Amendment, and said proposed Amendment, by leave, *withdrawn.*

GENERAL SIR GEORGE BALFOUR, in pursuance of a previous Motion, moved, in page 6, lines 5 and 6, to insert "a majority," instead of "not less than two-thirds."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 9 (After two years, power to apply to Secretary of State for Provisional Order to be confirmed by Parliament).

SIR GEORGE CAMPBELL moved to insert, in page 6, line 32, after "Commissioners of Supply thereof," "or for the ratepayers in public meeting assembled." The object of the Amendment was to enable the ratepayers at large to adopt the Act in case the Commissioners of Supply were indisposed to do so. He quite granted that the concession made in reducing the time for the Act to come into operation from 10 to five years was very important as bearing on this point; but the counties which had private Acts would be much longer affected by this clause. A great question of this kind, regarding the adoption of an Act of Parliament, ought to be decided by the ratepayers at large rather than by the extraordinary and aristocratic constituencies, which were a relic of a past age. He should hope the Government would see their way to making this additional concession.

THE LORD ADVOCATE thought the purpose of the clause had been somewhat misapprehended. Its object was not in any way to precipitate or retard the adoption of the Act, but was to enable those desiring to take advantage of it, after a given time, if they found it could not be satisfactorily adopted, to obtain such variations as might be required by local circumstances; and it gave them the right of going to the Home Secretary to have added or dispensed with such provisions of the Bill as might be found by experience to militate against its adoption. To pass this Amendment would be to take away from the body of Commissioners who, by the earlier sections which had been passed, were entrusted with very important powers, the right of asking the Home Secretary to remove obstacles that might exist to the adoption of the Act.

Amendment *negatived.*

COLONEL ALEXANDER said, he had given Notice of an Amendment upon this clause; but he should not proceed with it, as it appeared to him hopeless for any hon. Member upon the Conservative side of the House to obtain a concession from the Government, unless, indeed, he were prepared to go to the Opposition side of the House, where he might have some chance.

SIR ALEXANDER GORDON moved, as an Amendment, in page 6, line 39, after "county," insert—

"Provided, That no such application shall be made to the Secretary of State unless notice of the intention to propose a resolution to that effect at a half-yearly statutory meeting of the commissioners of supply of any county shall have been given in writing to the clerk of such commissioners at their last previous half-yearly statutory meeting."

The effect of it would be that those Commissioners of Supply, who wished to apply for a Provisional Order from the Secretary of State, should be obliged to give due notice of their intention to make a proposal of the kind. He proposed that six months' notice should be given—that was, that notice should be given at one statutory meeting of the Commissioners of Supply of the intention to make the proposal at the next meeting.

THE LORD ADVOCATE thought it desirable to make some provision for notice, but it occurred to him that that proposed was rather long.

SIR ALEXANDER GORDON believed the six months' notice would be found most convenient.

Amendment, by leave, *withdrawn.*

COLONEL ALEXANDER moved, as an Amendment, to insert in page 7, line 30, after the word "trustees," the words "and burgh local authority," his object being, he said, to make the burghs bear their fair share of the expense. He did not think the counties should be saddled with the whole expense.

Amendment *negatived.*

MR. J. W. BARCLAY (for Mr. M'LAREN) moved, as an Amendment, in page 7, line 32, after "obtained," to add the words "or against the police assessment levied within any burgh, as the case may be." There were certain burghs which had no funds to pay these charges, and in those cases he wished them to be paid out of the police assessments.

Amendment *agreed to;* words *inserted.*

On Question, "That the Clause, as amended, stand part of the Bill?"

MR. J. W. BARCLAY called the attention of the Committee to an apparent discrepancy between the clause and Clause 6. Under Clause 6, the adoption of the Act was to be determined by the trustees. Under Clause 9, it was to be adopted by the Commissioners of Supply. So far as he was able to compare them, Clause 9, therefore, seemed to him to require some such Amendment as that suggested by the hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon) that the operation of the clause should be limited to the three counties in which tolls and statute labour had been abolished; and in those counties the trustees were the proper persons to deal with the Act, whereas the clause left it to the Commissioners of Supply. As the clause stood, the Commissioners of Supply might overthrow the trustees, and adopt this Act, although it was clearly the intention of the Act to leave the matter in the hands of the trustees.

THE LORD ADVOCATE said, he thought the criticism was well-founded; but he would look into the matter more fully, and see how it stood.

Question put, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 10 (Costs to be awarded in certain cases) *agreed to.*

Road Authorities in Counties and Burghs.

Clause 11 (Management and maintenance of highways in counties to be in county road trustees, and in burghs in burgh local authority).

SIR WINDHAM ANSTRUTHER moved to report Progress. They had now reached a clause on which there would be considerable discussion.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Windham Anstruther.*)

MR. ASSHETON CROSS hoped they would be allowed to go on for a little while. He thought it would be a great pity to stop where they were.

MR. VANS AGNEW hoped that the hon. Baronet would withdraw his Motion. It was not often that Scotch Members got a night for discussion on a Scotch Bill. Most of them were present, and he thought they might dispose of two more clauses, if not the Bill altogether.

Motion, by leave, *withdrawn.*

GENERAL SIR GEORGE BALFOUR moved, as an Amendment, to add at the end of the clause—

> "And as early as possible after the assumption of office by the county road trustees and burgh local boards, they shall cause to be prepared lists of the several roads within the respective districts and burghs, with such details connected with their length, width, and condition, as will show the state of the roads hitherto maintained, for three years prior to the transfer; such lists being transmitted to the Secretary of State with a view to the same being compiled into a general statement to be submitted to Parliament as a record of the whole of the roads in Scotland at the date this Act came into force."

The object of his Amendment, he said, was to obtain accurate information about the present state and mileage and cost of the roads taken over. In principle it had already been adopted in England to some extent, as it had been taken from the Act of 1872. He hoped the Amendment would be adopted. It was of great importance, in order to verify the state of all the roads when they were brought under the operation of this Act. At present these were of two kinds—turnpike and commutation roads. The cost of the turnpike roads was on the average of all Scotland very great—nearly £30 per mile—whereas the other roads could hardly be calculated at more than £6 per mile per annum. It was, then, necessary to have some standard by which to measure or compare the future charges for roads.

MR. ASSHETON CROSS said, he could not accept the Amendment, as the record it provided would be a very imperfect one, and its preparation would throw a great burden on the ratepayers.

MR. J. W. BARCLAY suggested that a modification of Clause 103 would meet the hon. Baronet's intention.

GENERAL SIR GEORGE BALFOUR said, if the Secretary of State opposed, he did not mean to press the Amendment, though he felt it to be an important one, as they were quite ignorant of the present state of the roads in Scotland. The only information available was the Report of the Scotch Road Commission, now nearly 25 years old. Since then great changes had taken place, of which the information was very imperfect. Without the details they would be exposed to blame for all kinds of excessive outlays, because of the abolition of turnpikes. These at present did exercise a check on expenditure, because the funds collected did limit the outlay on roads.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Appointment of County Road Trustees, Board, and Committees.

Clause 12 (Appointment of County Road Trustees).

MR. ORR-EWING moved, as an Amendment, in page 8, line 36, after "provision," to insert—

> "That no commissioner of supply, whose qualification as such arises from property situated or office held in any burgh, shall be a county road trustee (save as hereinafter provided), and."

Amendment *agreed to;* words *inserted.*

THE MARQUESS OF STAFFORD moved, as an Amendment, to insert, in page 8, line 36, after the words "that no factor," the words—

> "Deriving his qualifications from the said Act, passed in the seventeenth and eighteenth years of the reign of Her present Majesty, chapter ninety-one."

The noble Lord explained that, for the purpose in view, they should be in the same position as they were at present.

THE LORD ADVOCATE said, he would accept the Amendment, which he thought a very proper one.

Amendment *agreed to;* words *inserted.*

MR. ANDERSON moved, as an Amendment, to add, in page 8, line 38, at the end of the sub-section, the words—

> "And no Commissioner of Supply, who holds his position as such only in virtue of being the eldest son of a proprietor, shall be entitled to act or vote, except in the absence of his father."

Amendment *negatived.*

MR. ANDERSON moved to report Progress, it being half-past 12 o'clock.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Anderson.*)

SIR WINDHAM ANSTRUTHER urged the hon. Member for Glasgow to press his Motion.

MR. VANS AGNEW thought the Committee could not do less than complete the clause they were now considering.

COLONEL ALEXANDER was of opinion that the Committee had been sitting long enough.

MR. ASSHETON CROSS said, he was quite ready to go on to the end of the clause.

MR. ANDERSON was afraid that he would be obliged to take the sense of the Committee on the subject.

LORD ELCHO considered it most desirable to finish the clause.

MR. ANDERSON insisted on dividing the House, as after that hour—half-past 12—the chances of what they were doing being reported in Scotland were exceedingly small.

Question put.

The Committee *divided:*—Ayes 38; Noes 94: Majority 56.—(Div. List, No. 64.)

COLONEL ALEXANDER said, if it was too late go on before, it was too late now, and he would therefore move that the Chairman do leave the Chair.

MR. ASSHETON CROSS said, he did not wish to go on against the wish of the House, but he could not assent to the Motion.

Motion, by leave, *withdrawn.*

MR. ASSHETON CROSS then moved that the Chairman report Progress, and ask leave to sit again. He would put the Bill down again for Thursday *pro formâ*. He could not say it would come on then, because there were other matters that must come on.

Motion *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Thursday* next.

House adjourned at One o'clock.

HOUSE OF LORDS,

Friday, 22*nd March*, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Education (Scotland) (47).

Select Committee — Contagious Diseases (Animals) * (37), The Marquess of Abergavenny *discharged.*

EDUCATION (SCOTLAND) BILL.

(*The Lord President.*)

BILL PRESENTED. FIRST READING.

THE DUKE OF RICHMOND AND GORDON, in presenting a Bill to amend the Scotch Education Act, said, that the Bill, though the title of it might appear somewhat large, and to refer to a very extensive measure, did not in reality do so; and it would not be necessary that he should make any lengthened explanation in reference to the points which were dealt with in it. The Bill was not a very long one. It contained only 24 clauses—but it dealt with questions that had been discussed in their Lordship's House during the last two or three Sessions, and as regarded some of them, so far as England was concerned, action had already been taken by the English Education Act of 1876. The clauses of the Bill might be fairly classified under three heads. The first was that which enacted for Scotland—with certain modifications and certain features specially required—the chief provisions of the English Education Act of 1876. Secondly, it supplied certain technical omissions, and remedied difficulties which had occurred in the working of the Scotch Education Act of 1872; but, at the same time, without in any way interfering with the main provisions and conditions of that measure. The object of the third head was to remove certain grievances, and to deal with certain special objects which had been strongly felt by the people of Scotland, and which had been urged very much on the attention of Her Majesty's Government. The first portion of the Bill—the first 16 out of the 24 clauses of the Bill—related to providing facilities for education and labour. This part of the Bill had been so recently discussed and approved of by their Lordships that he should be much surprised if anybody was found to object to the provisions he proposed to introduce. It was proposed, in the first place, that no child should be taken to work who was under the age of 10 years; in the second place, that no child should be allowed to work between the ages of 10 and 13 unless that child should have passed a particular standard; and provision was made for what was called the casual employment of children—or rather, the Bill provided against their casual employment—which must commend itself to every person who had the interest of the children and of education at heart. It had been represented to Her Majesty's Government that in many of the larger cities in Scotland a practice prevailed of allowing young children to be sent out late at night into the streets for the purpose of selling matches, newspapers, and other things of that kind. Now, it must be obvious to everyone that, for the sake of the health of the children, their moral condition, and their powers of learning during school hours in the day-time, that nothing could be more prejudicial than to allow these children of tender age to be running about the streets of a large city during the late hours of the night. The Government, therefore, proposed by a clause in this Bill to put an end to that practice; which they believed to be very injurious to the children, and one with respect to which many complaints had been received. It would not be necessary to incorporate in this Bill any of the provisions which it was found necessary to introduce into the Act of 1876 as applied to England, because the condition of the two countries as to schools and school accommodation was so different. In England, as their Lordships were aware, the school boards were set up to supplement and add to the voluntary schools throughout the country; and, therefore, it was necessary in 1876, when further powers were given to the managers of these schools to compel the attendance of children and not allow them to go to work unless under certain conditions, to give certain powers to the English school boards; but in Scotland there was a school board in every parish already, simply because the board school now took the place of the original parish school, which before 1872 was maintained by the heritors. There were exemptions in this part of the Bill, with respect to the employment of children in certain occupations of husbandry and the ingathering of crops, which would be found in the Bill of 1876. These provisions were contained in the first 16 clauses of the Bill. With regard to the other provisions—in the Act of 1872 there was no power to allow of a member of a school board to resign—they had now introduced a clause to make it competent for a member of a school board to resign, and the Education Department were empowered to fill up the vacancy, in order to do away with the necessity and cost of a bye election, should the vacancy occur in the interval between the regular school board elections. Another point which the working of the Act had shown to be necessary to provide for was that of making up a quorum. Take the case, which had happened in practice, of a school board composed of five members—one died, leaving four members of the board; two of these members held one opinion, and the other two a different opinion; the consequence was that it was impossible to carry on the work of the school board, as neither party would agree to proceed to the election of a chairman, and get on with the business. There was therefore introduced into the Bill a clause enabling the Department to add to the board, under such circumstances, so as to form a quorum. Another very important matter with regard to the higher class schools was this—A doubt had been thrown upon one of the clauses of the Act of 1872, as to whether there was power under that section to give money towards the enlargement and improvement of the higher class schools. It was, of course, a great advantage that these schools should be improved and enlarged, and therefore it was proposed under this Bill to give power to improve and enlarge the higher class schools. Other clauses made provisions in respect of costs of prosecutions on behalf of school boards, and with respect to the cost of the valuation roll. Another very important point with which the Bill proposed to deal was to reduce very much the expenses of election. Previous to the last election, the Education Department issued a Circular describing certain charges which should be made, and endeavouring to reduce the expenses as much as possible. This Circular was acted upon in very many instances, but some doubts being entertained whether the Department in issuing it had not acted *ultra vires*, certain words were inserted in the Schedule of the Bill which would make the powers of the Department quite clear. The other two points were—first of all, the powers given to the Department to examine the higher class schools. Her Majesty's Government were of opinion that if power were given to the Department of Education to send one of Her Majesty's Inspectors of Schools to examine the higher class schools, two benefits would be derived—first, uniformity in the system of examination in these schools; secondly, these examinations being in the hands of gentlemen of high attainments, the result must be to elevate the tone and mode of examining in these schools. The only remaining subject was one about which there had been very considerable feeling in Scotland—the position of the parochial teachers. The parochial teachers were a very large body in Scotland—it was but right to say that they were highly-educated men; and undoubtedly their position before the passing of the Act of 1872 was not satisfactory. The difficulty of getting rid of them was so great that it was thought necessary some alteration should be made; but it seemed that the Act of 1872 erred rather too much in the other direction, and the parochial teacher was deprived of the position which he justly held in Scotland, and his social status was reduced below that which it was right or desirable should be done. The Government proposed to enable school boards to make agreements with their teachers to hold office for a period not exceeding five years, subject always to the power of dismissal provided by the Act of 1872. By giving to teachers a longer period of office, he believed that their social position would be improved, and that to a great extent school boards would be enabled to avail themselves of the services of gentlemen of higher educational qualifications; because it was not necessary to point out that school boards would be more likely to obtain the services of a better class of men if more security was given that their position would not be altered within a very short period. These were the main provisions of the Bill. He had now only to present the measure to their Lordships, and ask them to read it the first time.

Bill to further amend the provisions of the Law of Scotland on the subject of Education, and for other purposes connected therewith—*Presented* (The LORD PRESIDENT.)

THE DUKE OF ARGYLL said, he did not propose to say anything as to the provisions contained in the Bill his noble Friend had presented; but he wished to point out that his noble Friend had said nothing about the Scotch Education Board—was he to understand that it was not intended to continue the Scotch Education Board?

THE DUKE OF RICHMOND AND GORDON said, that the subject referred to by his noble Friend was no part of the question that could be appropriately dealt with by the present Bill. The Act under which the Scotch Board existed would expire in August next, and it was not the intention of Her Majesty's Government to propose to Parliament to renew that Act.

Bill read 1ª; to be *printed;* and to be read 2ª on *Monday* the 1*st of April* (No. 47.)

ARMY—THE MUTINY ACT.

OBSERVATIONS.

THE EARL OF GALLOWAY said, he desired to call attention to an Amendment that had been made in that House on Friday last. It would be in their Lordships' recollection that, when on that evening a noble Lord suggested that, with a view of preventing desertion and fraudulent re-enlistment, all officers and men in Her Majesty's Army should be marked, the noble Viscount opposite (Viscount Cardwell) made the announcement that Her Majesty's Government were about to remit to a Parliamentary Committee the question of the expediency of a revision of the Mutiny Act, and it was suggested that the abolition of branding deserters, and the substitution of a mark upon all officers and men on entering the Army, should be referred to the same Committee. Such an announcement, coming from such a quarter, took him (the Earl of Galloway) by surprise, and he could not but hope that when he made it the noble Viscount was labouring under a delusion and a snare of his own imagination. When the noble Viscount was at the War Office a part of his military policy was to carry things with a high hand, and he could not help thinking that the noble Viscount, in making that announcement, must have been under the temporary delusion that he was at the War Office still, and therefore entitled to make the announcement. Certainly, the announcement ought to have come from a Member of the Government, instead of a Member of the Opposition. Assuming, however, that there was authority for the announcement, then he heard it with very great regret. What was the Mutiny Act? It was a compendium of the regulations for the preservation of discipline in Her Majesty's Land Forces. If a revision of that Act was desirable, it must have arisen from special causes, which must have been known to the Minister for War; and, instead of sheltering himself under the Report of a Select Committee, the Secretary for War should, on his own responsibility, have proposed to Parliament such changes in the Act as he thought were required to make it what it ought to be. If he wanted assistance in making those changes, he should seek it at the hands of the illustrious Duke the Commander-in-Chief, of the Staff of the War Office, and, perhaps, of the Law Officers of the Crown. It would be matter for regret if there was collusion between the Secretary for War and the noble Viscount. He was sure the noble Viscount would understand that he meant nothing personal to him; but he would beg to call to mind what had been the chief characteristics of the noble Viscount's administration of the War Department. In the first place, the noble Viscount abolished purchase —and in doing so not only disregarded the decision of the House of Lords, but stretched the Prerogative of the Queen infinitely more than it had ever been stretched before. He next established a system of brigade depôts—a subject upon which he (the Earl of Galloway) hoped to propose a specific Motion later in the Session, when the political horizon would be somewhat less clouded than it was at the present moment, inasmuch as he considered that what had been done would be subversive of military discipline, and would involve the country in extravagant expenditure. In the third place, when the noble Viscount ceased to reign supreme at the War Office, every rank of the Service was at such a pitch of discontent that the illustrious Duke Commanding-in-Chief considered it necessary to call the attention of their Lordships to the subject. He trusted their Lordships would forgive him for having brought forward the subject of the Mutiny Act at such a juncture as this; but he had been impelled to do so because he looked upon the announcement which the noble Viscount made as exceeding the bounds of Parliamentary propriety. He begged to ask the Under Secretary of State for War, Whether it was the intention of Her Majesty's Government to remit to a Parliamentary Committee the question of the expediency of a revision of the Mutiny Act?

EARL STANHOPE said, that the Mutiny Acts for the Army and Navy were renewed every year. As they underwent very little alteration from Session to Session, he thought the large expenses of printing them every year—occupying, as they did, 300 pages—might be curtailed; only those clauses which were modified to be included in the volume of Statutes.

LORD WAVENEY said, he agreed with the noble Earl that it was highly inconvenient that such an announcement as that referred to by the noble Earl should not have been made by Her Majesty's Government. He must also enter his protest against the remission of the question of a revision of the Mutiny Act to a Parliamentary Committee. The responsibility of introducing that Act devolved on the Ministers of the Crown, and it was incumbent on them to initiate any changes in it which they might think necessary. It was essential that the renewing Bill should be passed within a very short time, seeing that the existing Act expired on the 25th April. He had heard the announcement of the intention to refer the Act to a Parliamentary Committee with alarm, and if such conduct were to be regarded as a precedent, it would be a very dangerous precedent indeed. There ought to be no sign of wavering or doubt in the War Department at the present time, when on all sides people were perfectly ready to sacrifice individual political feeling in order to thoroughly support the Government in whatever efforts they were about to make.

VISCOUNT BURY, in answer to the Question of the noble Earl behind him (the Earl of Galloway), had to say that his right hon. Friend the Secretary for War had determined to remit to a Parliamentary Committee the question of the expediency of a revision of the Mutiny Act. The noble Lord (Lord Waveney) had pointed out that it was essential that the Bill should be passed within a very limited time. That was true; but it was not the intention of his right hon. Friend that the Act should be referred to a Select Committee until after the Mutiny Bill had been passed for the present year. It was known probably to most of their Lordships that a great many Notices of objections to various clauses of the Bill had been given in the other House of Parliament, and if these were to be considered in the House of Commons, they must lead to long discussions, which would delay the progress of the Bill. His noble Friend had reminded him that the initiative in respect of the Bill rested on Her Majesty's Government—that the Bill was brought in on the responsibility of Her Majesty's Government. That was true; but he must, at the same time, point out that the Mutiny Bill differed from no other Bill brought into either House of Parliament in this respect. Like all other Bills, it might be referred to a Select Committee of the House in which it was brought forward for the consideration of the whole of its provisions. The course which the Secretary for War intended to pursue after the passing of the Mutiny Bill was this—His right hon. Friend thought it the most convenient course to refer the whole question of the administration of our military law to a Select Committee, with the intention of producing a revised Mutiny Bill next year. The Mutiny Bill was of very old date. It had been re-modelled to suit various emergencies on various occasions, and it was now found to be cumbersome and also to contain ambiguities which ought to be removed. No doubt a Select Committee would be able to produce a much more perfect instrument. It was no part of his duty to defend his noble Friend (Viscount Cardwell); but he was bound to point out that when the noble Earl (the Earl of Galloway) assumed the noble Viscount to have made an announcement for which he had no public authority, his noble Friend had in his mind an answer given by his right hon. Friend in "another place." Replying to a Question put to him in "another place" some time ago, his right hon. Friend said that the Mutiny Act would be referred to a Select Committee.

Lord HOUGHTON thought that if the Act were referred to a Parliamentary Committee, it ought to be to a joint Committee of the two Houses.

Lord STRATHNAIRN begged leave to submit to their Lordships, with professional deference, one or two observations respecting the subject before the House. He believed that the proposal to submit the revision of the Mutiny Act to a Committee of the House of Commons was quite a novelty and not one which afforded a reasonable prospect of practical improvement. He ventured to add that this opinion did not refer in any way exclusively to the House of Commons, for whose legislation and proceedings he had the greatest possible respect, but referred equally to their Lordship's House. He submitted that, as a rule, civil and military questions were safest in the hands of their respective Departments, whose experience qualified them to deal with the subject. Legal military matters were of the special competence of the Judge Advocate General's Department, whose subordinate officers were distributed throughout the Army. If the revision of the Mutiny Act were placed in the hands of a Parliamentary Committee, its first step would be to send for officers of the Judge Advocate General's Department and select military officers to give them information on the subject. This would be a waste of time and trouble. In these circumstances, he thought the revision of the Mutiny Act would better be entrusted to a Military than a Parliamentary Committee.

Viscount CARDWELL said, that from his experience of his noble Friend (the Earl of Galloway) in the House of Commons, he was sure that his noble Friend was quite sincere when he said that he meant nothing personal by his observations. He could assure him that there was no collusion between himself and the Secretary for War. He never presumed to make any announcement on Friday on behalf of Her Majesty's Government or of the Secretary for War —he had simply referred to a statement that had been made in "another place." The idea of a reference of the Mutiny Act to a Select Committee was not a delusion and a snare of his imagination, but a measure proposed by the Secretary of State some time ago, as the noble Earl might have found if he had taken some slight pains in making himself acquainted with the records of *Hansard*. It might have been as well for his noble Friend to have been at the pains of such a reference before lecturing him on Parliamentary propriety.

The Earl of GALLOWAY expressed his deep regret that he had laid himself open to the correction of the noble Viscount, and thanked him (Viscount Cardwell) for the courteous way in which he had commented on his mistake.

Lord WAVENEY had heard the statement respecting the noble Viscount (Viscount Bury) with very much satisfaction, so far as it went; but regretted the determination of the Government to refer the Act to a Parliamentary Committee.

The Duke of RICHMOND and GORDON said, this was not an explanation, and the noble Lord was not entitled to a second speech on the same subject.

House adjourned at a quarter past Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 22nd March, 1878.

MINUTES.]—New Writ Issued—*For* the City of Worcester, *v.* Alexander Clunes Sherriff, esquire, deceased.

New Member Sworn—Philip John William Miles, esquire, for the Eastern Division of the County of Somerset.

PUBLIC BILLS—*Ordered—First Reading*—Monuments (Metropolis) * [133].

Second Reading—Mutiny *; Marine Mutiny *.

Second Reading—Referred to Select Committee—Ecclesiastical Buildings (Fire Insurance) [99].

Committee—Report—Consolidated Fund (No. 2)*.

Report—Metropolis Management and Building Acts Amendment * [67-132].

Considered as amended—Factories and Workshops [3-126].

Third Reading—Threshing Machines * [97], and *passed.*

QUESTIONS.

PARLIAMENT—STANDING ORDERS—HYBRID BILLS.—QUESTION.

MR. GORST asked the Chairman of Ways and Means, Whether he has considered the desirability of extending Standing Orders 116, 117, and 118, which restrain Members from sitting upon Committees on Private Bills in which they are themselves interested, so as to prohibit any Member who is interested in the promotion of a hybrid Bill from himself sitting in judgment upon the private interest which such Bill affects?

MR. RAIKES, in reply, said that the Standing Orders to which his hon. and learned Friend had referred appeared to him to have been intended rather as directions to the Committee of Selection and the Committee on Canal and Railway Bills, and to the Members chosen by them to serve on Private Bill Committees, than as fetters upon the discretion of the House itself. His hon. and learned Friend had correctly stated the practice on private Bills, but he would remind him that it was usual in the case of public Bills to place on the Committee hon. Members who were presumably most conversant with the subject which the Committee had to consider. In the case of hybrid Bills, partaking as they did of both a public and a private character, although it might possibly occur that some hon. Member might be proposed to whom a special objection might be urged, he thought the best way of dealing with such a case would be to challenge the nomination when the name was put from the Chair.

INTERMEDIATE EDUCATION (IRELAND) LEGISLATION.—QUESTION.

MR. P. MARTIN asked the Chief Secretary for Ireland, Whether he expects to be enabled to have the Bill in respect to Intermediate Education in Ireland, referred to in Her Majesty's Speech, introduced and printed before the Easter Recess, so as to enable the provisions of that Bill to be discussed and considered in Ireland during the Recess; and, if so, on what day he anticipates the Bill can be introduced?

MR. J. LOWTHER: Sir, as I stated the other day, in reply to a Question put to me by the hon. Member for Limerick (Mr. O'Shaughnessy), I think that after all that has passed in this House respecting the Grand Jury Bill, it would not be right to allow any other Government Bill relating to Ireland to take precedence of that measure. Having regard, therefore, to the position in which the Grand Jury Bill now stands and to the present condition of Business generally, I am afraid I cannot enter just now into any definite engagement in the sense suggested by the hon. and learned Gentleman, since it is not, as a rule, desirable that Bills should be introduced until there is a probability of their being proceeded with within a reasonable time.

COAST DEFENCE—SUBMARINE MINES. QUESTION.

SIR WILFRID LAWSON asked the Surveyor General of the Ordnance, Whether the Vote of Credit of £6,000,000 is being used in providing submarine mines for the defence of other parts of the British Coasts as well as for the shores of the Clyde; and, if so, where?

LORD EUSTACE CECIL: Sir, generally speaking, no doubt, submarine mines have been used on other parts of the British coast than the Clyde; and if the hon. Baronet has a special interest in any particular harbour or port, I shall be most happy to satisfy his curiosity privately. But he will, I am sure, for obvious reasons, hardly think it reasonable or expedient to publish to the world what is being done for the defence of our coasts.

SCHOOL BOARDS—EDUCATION RATE—QUESTION.

Mr. GODDARD asked the Vice President of the Council, Whether, having regard to the unequal burden inflicted upon the owners or occupiers of land by applying the poor rate system of rating for the educational and other requirements of School Boards, he will be willing to take steps, in conjunction with the President of the Local Government Board, for assimilating the same mode of rating land, in the proportion of one-fourth, as has always been adopted by that Board for sanitary purposes?

Viscount SANDON: Sir, I need hardly assure my hon. Friend that any suggestion coming from him will always receive our best consideration; but I cannot conceal from him that the considerable alteration which he proposes to make in the manner of raising the rate for education purposes is a very grave matter, and would require fresh legislation. I was only informed of this Question this morning, but I do not think Her Majesty's Government is likely at present to propose any fresh legislation respecting elementary education in England.

GIBRALTAR—SANITARY CONDITION.—QUESTION.

Mr. GODDARD asked the Secretary of State for the Colonies, Whether his attention has been yet directed to the unsatisfactory hygienic state of Gibraltar, and more especially to the prevalence of a severe type of typhoid, or what is termed rock fever, in the regimental quarters during the past summer; and, whether any measures have been or are about to be taken for the amelioration of the sanitary condition of the fortress?

Sir MICHAEL HICKS-BEACH: Sir, I believe that there was an unusual number of attacks of fever among the officers quartered at Gibraltar during the past summer; but I am informed that the cases were, with one exception, of a remittent and not of a typhoid character, and that the principal medical officer of the garrison reported that the fever was in no way to be traced to local sanitary defects, but was of climatic origin, and attributable in a great measure to a late and prolonged rainfall. I believe the sanitary condition of Gibraltar is, on the whole, satisfactory. Much has been done to improve it within the past 10 years. The subject has recently been under my notice, and I trust further improvements will shortly be made.

NAVY—ADMIRALTY PAYMENTS.—QUESTION.

Colonel MAKINS asked the First Lord of the Admiralty, If it be true, as stated in the newspapers, that the Admiralty has in any case promised payment in advance for goods ordered, but which cannot be delivered before the close of the financial year, in order that such payments may be provided out of the Vote of Credit?

Mr. W. H. SMITH: No, Sir; it is not correct that such payments have been made or promised. With the exception of Colonial produce and stores from abroad, when advances are made on dock warrants and bills of lading, the Admiralty never pay for goods until they are actually delivered, or until—as in the case of machinery, armour-plates, &c.—a certificate has been received from their own officer that sufficient work has been performed to warrant a certain sum being paid on account. This is the rule for payments out of ordinary grants. It has been, and will continue to be, applied to any purchases made out of the Vote of Credit.

THE ISLE OF MAN—VACCINATION.—QUESTIONS.

Mr. HICK asked the Secretary of State for the Home Department, Whether gentlemen appointed as public vaccinators in the Isle of Man are required to have the same qualifications as in England; and, if not, how many public vaccinators have been appointed to act as such in the Isle of Man without having the double qualification, and how many without having any qualification at all?

Mr. ASSHETON CROSS: Sir, the Vaccination Act passed the Legislature of the Isle of Man, but it had to be sent back for revision, and is now waiting the Royal Assent, which I hope it will receive on Tuesday next. The Lieutenant Governor, under that Act, will appoint public vaccinators. The Act requires that they shall be medical practitioners. There is no special qualification beyond that named. Upwards of a year ago, in order to bring vaccination within the reach of those willing to be vaccinated, public vaccinators were appointed; these appointments, however, will be subject to revision as soon as compulsory vaccination becomes the law. In making the appointments under the Act, the Lieutenant Governor will be guided in his selection by the rules which govern similar appointments in England.

MR. JOHN BRIGHT: Is compulsory vaccination not in force in the Isle of Man?

MR. ASSHETON CROSS: Sir, hitherto it has not been; but an Act is now passed under which it will be.

MINES ACTS—INSPECTORS' REPORTS.

QUESTION.

MR. CLIVE asked the Under Secretary of State for the Home Department, Whether it is still the practice of the Home Office to require periodical reports from the Inspectors of Mines as to the occupation of their time?

SIR HENRY SELWIN-IBBETSON, in reply, said, that the practice to which the hon. Gentleman referred was commenced in 1861; but in 1865, on a representation from the Inspectors to Sir George Grey, the practice was abandoned. The former practice was for the Inspectors to send in a report weekly; and, as it was believed that much advantage would be gained by a similar return, the Secretary of State within the last few months had put himself in communication with the Inspectors on the subject; and it would be seen, when the annual Reports were in the hands of Members, that a more ample description than hitherto was given of the way in which their time was occupied.

MOTIONS.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE DECLARATION OF PARIS.

RESOLUTION.

SIR JOHN LUBBOCK, in rising to move—

> "That, in the opinion of this House, the state of International Law with reference to Maritime Belligerent Rights is unsatisfactory and calls for the careful attention of Her Majesty's Government,"

remarked that, notwithstanding divergence of opinions on the subject, there was general concurrence as to its importance. Indeed, the Prime Minister had said it was the most important that could engage their attention; therefore, he need offer no apology for bringing it before them. The occurrence of disputes from time immemorial led to the adoption by the Conference of Paris in 1856 of the following well-known Declaration:—1, Privateering is and remains abolished; 2, the neutral flag covers enemy's goods, with the exception of contraband of war; 3, neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag; 4, blockades, in order to be binding, must be effective—that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy. In acceding to this arrangement we, no doubt, abandoned rights which we had hitherto claimed and which some high authorities had regarded as of great importance to this country. Hence, there had always been a strong party anxious to recede from the Declaration. Nevertheless, though the policy of the Declaration had been again and again brought before Parliament, it had been always sustained. It might, therefore, with courtesy be assumed that England had determined not to recede from the Declaration. But last year the hon. Member for West Cumberland (Mr. Percy Wyndham) showed conclusively that the present position of affairs was most unsatisfactory. The late Mr. John Stuart Mill, though regretting that we had acceded to the Declaration at all, considered, this having been done, it was

> "an actual necessity for us to take the second step, and obtain the exemption of all private property at sea from the contingencies of war."

The present position of affairs was dangerous—first, because it was one-sided; some important nations, especially the United States, having declined to concur in the Declaration; secondly, although the Declaration professed that privateering was abolished, the hon. Member for West Cumberland clearly showed that this was practically not the case. In 1870, Prussia decreed the establishment of a voluntary marine, which the highest legal authorities had held not to be legally a violation of the Declaration, though certainly depriving it, so far as this clause was concerned, of almost all real value. In fact, to abolish privateering, we must go further, and abolish the capture of private property at sea. The third clause—that neutral goods are not liable to capture under an enemy's flag—was very imperfectly carried out. If you captured the ship, you carried off the goods in it, even though you might eventually restore them. Suppose that goods intended for China or Australia were in a vessel captured by American cruisers and taken into New York? There, no doubt, they might be claimed by their owners; but the owners might have no agents at New York, or they might not hear of the capture. Even under the most favourable circumstances, they would lose their market and be put to considerable expense. Evidently, then, the fourth clause was not effectually carried out, nor could it be as long as ships were liable to capture. It was the old story of the pound of flesh. You could not capture the ship without capturing the goods, and even if you restored the latter, still you would not put the merchant in his original position. In fact, the policy of the Declaration could not be carried out unless it was extended to ships, in which case there was every reason to believe that America would give in her adhesion; and the Declaration thus amended would be adopted by all civilized nations. That this would be desirable in the general interests of mankind no one probably would contest, and it might be that even if it were contrary to British interests, we ought not to withhold our consent. But would it be contrary to our interests? Our greatest interest was not only the peace, but the prosperity of the world. A selfish policy was not only wrong but foolish. We often did ourselves an injustice by the way in which we spoke of "British Interests." The country would, by an overwhelming majority, give up any claim which could be clearly shown to be unjust, or injurious to the general interests of mankind. The proposal to render ships free from capture and seizure was clearly one which would be for the general advantage, and it was therefore for those who opposed to show that it would be so dangerous to this country that we were justified in resisting. This, however, he denied, and maintained, on the contrary, that we ourselves should be great gainers by the change. On one point there was an overwhelming *consensus* of opinion—namely, that the present state of things is unsatisfactory, and may become dangerous. On the other hand, while statesmen and politicians had been much divided in opinion as to the course which we ought to pursue, the representatives of our commerce had generally agreed in considering that we ought to proceed on the lines of the Declaration of Paris. The fact was that our statesmen thought more of our Navy and of our power of inflicting injury on our opponents in war, while mercantile men thought of our mercantile marine and the material interests of the country. The late Mr. Baring, when this question was before the House in 1862, asked the pertinent questions—

> "What country has most commerce afloat, most property to be seized? Surely England. What country would gain most by the preservation of that property? It is England. You say that your object in war is to injure your enemy. What country could be so much injured in war through her commerce as England?"—[3 *Hansard*, clxv. 1391.]

The same argument was ably stated by Mr. Cobden in his Letter to Mr. Henry Ashworth; and strong opinions had been expressed by Members of Her Majesty's Government. The hon. Gentleman the Under Secretary for Foreign Affairs had said that the question of belligerent rights, as left by the Declaration of Paris, might one day cause them serious inconvenience and involve them in serious disputes. Again, the right hon. Gentleman the Paymaster General (Mr. Stephen Cave) said in 1871, that—

> "On the mere rumour of war we were in danger of losing the whole carrying trade of the country, and very naturally, because the first thing that happened was that insurance rose to war-risk rate; and everybody knew that the rate of insurance was one of the elements which governed freight; and, therefore, the carrying trade was naturally diverted into another channel."—[*Ibid.* ccv. 1490.]

In one of the debates on this question,

the right hon. Gentleman the Chancellor of the Exchequer, in 1862, made the curious remark that the Navy of England ought not to be "frittered away in protecting commerce." He truly observed that, under any circumstances, the Fleet would be fully employed during war. "We might rely on it," he said, "that the Navy would find plenty of occupation in case of war." He went on to say that—

> "He could not think that position satisfactory which put in jeopardy the carrying trade of this country, the prosperity of our commercial marine, and, through our commercial marine, the very security and foundation on which our Navy itself rested."—[*Ibid*, clxv. 1625.]

The extension of the Declaration of Paris, therefore, so far from diminishing the utility of our Navy in war, would set it free for objects, from a military point of view, of even greater importance than that of protecting our commerce. He also warned us that

> "the experience of other countries was not to be forgotten. The Dutch were once the carriers of Europe, but their power and trade had been destroyed by circumstances very analogous to those in which we were placed by the Declaration of Paris."

Well, the right hon. Gentleman now had the responsibility of power. The present state of things, in his opinion,

> "puts in jeopardy the trade of the country, and, through our commercial marine, the very security and foundation on which our Navy itself rests."

Surely, then, they might expect that the right hon. Gentleman would either explain to the House clearly why he had changed his opinion or concur in some such Resolution as that now before the House. The statistics of the Mercantile Marine, which he took from the French Bureau Veritas, showed that the total tonnage of sea-going vessels of the world amounted to 21,000,000 tons. As to value, it was difficult to arrive at any satisfactory estimate. If they estimated the value roundly at £10 per ton, they would not be very far wrong. The value of the mercantile sea-going marine would, therefore, be over £200,000,000, showing the great importance of the subject. Now, of the 21,000,000 tons, no less than 9,170,000 belonged to Great Britain. Next came the United States of America, who had 3,180,000 tons; next, Norway, with 1,500,000; Italy, 1,400,000; Germany nearly as many; France, 1,000,000, and so on—in fact, our mercantile marine was greater than those of Germany, France, Italy, Russia, Holland, Spain, Norway and Sweden, Austria, Denmark, Greece, and Turkey all put together. If they took steamers, the case was still stronger. Steamers would be the real prizes in case of war, if prizes were to be made at all. Now, what was the state of the case as regarded steamers? Altogether there were in the world 5,770 sea-going steamers. Of these, 3,300 belonged to Great Britain, about 600 to America, 314 to France, 226 to Germany, 230 to Spain—in short, 3,300 to this country, and 2,400 to all the rest of the world. Or, if they took tonnage, the total was 5,700,000 tons; 3,360,000 to us, 2,320,000 to the rest of the world. So that we actually possessed a larger mercantile steam fleet by far than all other nations put together. Our interest, therefore, in this matter was overwhelming; and it was surely no wonder that those practically engaged in commerce had shown themselves almost unanimous in pressing this question on the attention of the Government. If he excepted one or two nations, our stake in going to war was, to use a common expression, "Lombard Street to a China orange." It was said other Navies were weak; but it was not only war, but the fear of war, which placed shipowners at a disadvantage by raising the rates of insurance; and it was only necessary to remind them of the injury inflicted upon American commerce by the *Alabama* and one or two other vessels. If our Mercantile Marine were destroyed, he should like to know what would become of our Navy? Then, as regarded the question of blockade, it was very much to our interest that the right of blockade should be limited. Continental ports could not now be blockaded with effect, while islands, especially if dependent upon other countries for their food, were specially liable to blockade; and there was no country which imported so much food as Great Britain. In the Crimean War, for instance, Russia exported to England more than 500,000 quarters of grain. Now, suppose we could have effectually prevented this; Russia would have lost her market, no doubt, but England would have lost her food. At present we left the legal right of blockade to our opponents, while in recent wars we had not ourselves generally adopted it, and even where we did we were surely ourselves the principal sufferers. Moreover, the development of railroads had entirely altered the question of blockades. They could not now practically blockade any Continental port. The only effect of attempting it would be that the goods would be transported by rail to the nearest neutral port. In the Russian War, for instance, we blockaded the Baltic ports. What was the result? Only that Russian produce came by rail to Memel, and we had to pay the railway fare. But suppose we could effectually blockade the Russian ports and prevent any of her produce from escaping. Our principal imports from Russia were grain, flax, hemp, and wood. In round numbers, we imported grain to the value of £10,000,000, and £6,000,000 of hemp and flax. He need not dwell on the disadvantage to us of stopping so large a supply of food. In the same way with other produce. Then we imported flax, seed, and hemp, to the amount of about £6,000,000, which were used in our manufactures. To deprive our manufacturers of this supply of raw material would tend to embarrass them, to lower the value of their works, and to throw their men out of employment. Nay, the result would be doubly prejudicial to them; because, while diminishing their supply, and raising the price of raw material, it would increase, on the other hand, the supplies accessible to Continental manufacturers, and thus tend to lower the price to them while raising it to us. To stop the supply would injure us as well as Russia. Moreover, in this matter, owing to the magnitude of our commerce, we stood in a different position from any other country. Suppose, for instance, a war between Russia and France, and that Russia could blockade all the French ports. She would, no doubt, embarrass France, and with very little loss to herself; because, while the total exports of France amounted to £150,000,000, or, deducting what went to bordering countries, £75,000,000; £2,000,000 only went to Russia; so that, if Russia could destroy the export trade of France, she would inflict a great injury on France, with very little suffering to herself. But what was the case with us? Our position was very different. Out of the £75,000,000 no less than £43,000,000, much more than half, came to this country. If, then, Russia could destroy French commerce, she would injure France, and do herself no appreciable harm; but, if we did so, we did not injure France only, but should ourselves be very serious sufferers by our own success. If we took other countries instead of France, the result was very much the same. The external trade of Russia, after deducting conterminous countries, might be taken at 220,000,000 of roubles, of which 130,000,000, or considerably more than half, came to England. But even this understated our case, because, as regarded the Russian trade with such countries as Belgium and Holland, the effect would only be to substitute railway for sea carriage. If we took the external trade between Russia and countries with which it had no direct railway connection, practically the whole came to Great Britain. If we took Holland, out of £426,000,000 of gulden, 247,000,000, or much more than half, came to us. He would only refer to one other country—the United States—which exported in 1875 produce to the amount of £106,000,000, and of that more than £69,000,000, or more than two-thirds, came to Great Britain. In fact, of the total produce at sea, considerably more than half was on its way to or from this country. But even this did not do justice to his case, because of the produce not coming to this country a great deal was the property of British subjects, much had been paid for by English credit, and was the security for advances made by British merchants. If he could only impress on the House the overwhelming interest we had at sea, he was sure they would adopt his Resolution. But they were told that it was absurd and unnatural that the shipping and mercantile interests should flourish while the country was suffering from war; that the shipping interest could not expect to be placed in any exceptional position. But the shipping interest was at present in an exceptional position. If we went to war, the estates of the hon. Member for West Cumberland (Mr. Percy Wyndham) were not liable to capture and seizure, while the property of shipowners was. War would not materially affect the value of land, would not stop the cultivation of the soil, but it would act on shipping most prejudicially. The extension of the Declaration of Paris to ships would benefit, not the shipowners only, but the community as a whole. To measure the benefits of commerce by the profit of the merchant would be like estimating the advantages of education by the salary of the schoolmaster. It was often said that if wars were not dreadful they would be perpetual; but what country—except, perhaps, one—would be compelled to sue for peace by the loss of its shipping? During the Crimean War, the whole amount of Russian property which we captured only amounted to £82,000, a loss which could not possibly have the slightest affect on Russian policy. Another objection was that of Lord Palmerston, who, in 1862, said that if we adopted these principles we should almost "reduce war to an exchange of diplomatic notes." Well, that would be a result which he could contemplate not only with equanimity, but with satisfaction. The tendency of history had been to render wars more humane as civilization progressed, and the extension of the Declaration of Paris to all property afloat was merely another step in that direction. In the discussion which had arisen on this subject they had heard much about the opinions of various great authorities on questions of International Law. He should not attempt to discuss the subject from that point of view. The question was one for the future, not the past. It was a practical, not a legal, matter, and the Board of Trade Returns, or, still better, a visit to the Docks, would teach more than all the pages of *Vattel* or *Puffendorf*. There was another portion of the subject which also deserved very careful consideration—namely, the question of contraband of war; but he had already occupied so much time that he felt he must not enter upon it; but he would just say a few words on the Amendment of the hon. Member for Sunderland (Mr. Gourley). No doubt he agreed, to a certain extent, with a great portion of that Amendment; but he did not think it desirable to bind the Government to any exact form of words, and preferred his own Resolution, which had this advantage over the Amendment, that it also raised the question of blockades. He had endeavoured in discussing the question to meet the objections which were the most likely to be brought against the Resolution. He was conscious that in doing so he had argued this question on low grounds. He hoped, however, that he should not be supposed to regard this question as one that ought to be decided entirely by selfish or mercenary considerations. Far from it; believing that to make ships free from capture was distinctly for the general benefit of mankind, he thought we ought to consent, even if it would, to a certain extent, weaken our power in war. Such a course could not but increase our influence in peace. If it would weaken our power of offence, it would certainly increase our strength for defence. A great country had responsibilities as well as rights; our countrymen are always anxious to take a just—nay, a generous view of international relations; but in this case he feared we were supposed to be the great obstacle to an important improvement, and to desire to stretch our belligerent rights to the utmost. He was most anxious that England should not be open to the charge of throwing her influence into the wrong scale, of resisting a proposal which was for the general welfare. He trusted, therefore, that Her Majesty's Government would consent to give this matter their serious consideration, and he hoped the result of their deliberations might be that England would take the initiative in proposing to other countries the adoption of a step which would be a decided advance in civilization, which was in harmony with the dictates and principles of our religion, which would do much to mitigate the sufferings of war; and, by increasing the security of commerce, to enhance the advantages, and therefore to promote the maintenance, of peace. The hon. Baronet concluded by moving his Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the state of International Law with reference to Maritime Belligerent Rights is unsatisfactory, and calls for the careful attention of Her Majesty's Government,"—(*Sir John Lubbock*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GOURLEY, who had a Notice on the Paper as an Amendment to move to leave out from the word "That," to the end of the Question, in order to add the words—

"An humble Address be presented to Her Majesty, praying that She will be graciously pleased to use Her influence with Foreign Governments for the purpose of making the principle that private property should be free from capture by sea a Rule of International Maritime Law,"

said, he was in favour of abolishing the capture of private property at sea, not only by privateers but by ships of war. The policy indicated by his Amendment had been consistently opposed by hon. Members—by none more so than by the hon. Member for West Cumberland (Mr. Percy Wyndham). Hon. Members were of opinion that such a policy would weaken yet not destroy the maritime supremacy of this country, or, perhaps, the maritime privateering of Great Britain and of any other country which wished to indulge in it. The hon. Member for the Isle of Wight (Mr. Baillie Cochrane) said in discussing this subject that such a principle would lead to war being conducted on delicate principles; but under the present system war might be conducted on what were called Bashi-Bazouk principles. The policy involved in his (Mr. Gourley's) Amendment, he maintained, was the only sound and wise national policy which a great commercial nation like Great Britain ought to endeavour to carry out. Had that policy been in force at the time of the American Civil War we would not have been held liable as we were for the escape of the *Alabama*, and we should have saved ourselves from many of the complications and difficulties which arose in connection with that war. The Tribunal of Geneva declared that this country was wrong in regard to the escape of the *Alabama*, not in consequence of the law as understood under the Declaration of Paris, but in consequence of the terms of the Treaty of Washington. Hence the decision of the Tribunal of Geneva still left unsettled the question of capture at sea and maritime privateering on the part of neutrals—so much so that so long as the law remained in its present condition belligerents would still be able to make claims such as those which were made against us by the American Government for our carelessness in reference to the escape of the *Alabama*. Another point raised by the American Government before the Tribunal of Geneva was that which related to consequential damages. On that point the tribunal decided against America; but, although a great outcry was made against the American Government for putting forward that claim, such claims would still be permissible so long as the law remained in its present state. The matter of consequential damages was still a part of our maritime law. The hon. Baronet the Member for Maidstone (Sir John Lubbock) had alluded to the opinions held by the late Mr. Cobden on this subject. Mr. Cobden held a similar view to that indicated in this Amendment; but a still higher authority in reference to International Law was that of the late Lord Palmerston, who, speaking at Liverpool, suggested that the principle of law applying to hostilities on land might be extended to hostilities at sea, so that property might no longer be exposed, as it was, to aggression on either side. When Lord Palmerston made that speech war had been brought home in a great measure to our own door, as it was at the time of the Crimean War. Owing to the opinions which were expressed by the public at that time, we were indebted in a great measure for the alteration in our international maritime policy, which was inaugurated by what was commonly known as the Declaration of Paris, which left two things in a very unsatisfactory condition. First, it still left open to capture, during war, the private property of the subjects of belligerents on the high seas; and, secondly, it left in an unsatisfactory condition the question as to the blockade of our commercial harbours. The American Government, as represented through its Minister at the Congress of Paris, held that to maintain the right of national ships of war to capture private property would be to still leave matters in an unsatisfactory condition; and the American Minister proposed at the Congress that the property of the subjects or citizens of a belligerent on the high seas should be exempt from seizure by the national armed cruizers of ships of either belligerent unless it were contraband of war. With the policy thus indicated by the American Government he (Mr. Gourley) entirely agreed. It was unfortunate that the policy advocated by the American Minister was not at that time adopted, because it left unsettled the question as to the power of nations, so far, at least, as the other side of the Atlantic was concerned, to capture private property on the high seas in time of war. It left international maritime law in a very unsatisfactory condition, for if war were to break out between this country and America, or even with some petty State on that side of the Atlantic, and if it were to send out vessels of the same character as the *Alabama,* our commerce might suffer much in consequence, for we knew what was the effect of a mere rumour as to such a vessel being afloat. It was not until 1855, or until the Declaration of Paris, that the law of our country was altered in reference to the capture of private property by vessels of war. The American Government would not—and never did submit without protest—submit to their vessels being so captured. The consequence was that during the Crimean War the rights which we possessed in accordance with our law were of no avail, because we were afraid to put them in force lest we should have been brought into conflict with America. Reference had already been made to the interests this country would have at stake in the event of war. The value of our steam and sailing vessels—vessels connected with this country and our Colonies, and sailing under the British flag—he estimated at something like £70,000,000. The value of British property at sea was estimated by Lindsay, 10 years ago, at something like £120,000,000, and it might now fairly be assumed to amount to £150,000,000. It could be conceived, then, what might happen if we were at war even with a small State like Denmark and the law was to remain in its present condition. If we were at war with Denmark, or say Brazil, which latter Government is not subject to international maritime law, as now regulated by the Declaration of Paris, and if that State were to send out three or four ships of the *Alabama* class to prey on our commerce, the rate of insurance would be so raised that the carrying trade of this great commercial country would be in a great measure driven into the hands of other countries. If we were at war with Russia, and she chose to send out privateers, or one or two national ships of war for the purpose of capturing our ships of commerce at sea, they would be quite sufficient to drive the carrying trade of this country into other hands. It might be said that our Navy would prevent that; but our Navy could not do everything in the event of war, as it would be required for the purpose of manning our ports, protecting our Colonial harbours, and fighting ocean battles. The American Government, prior to the Civil War, possessed a commercial marine only second to our own, with something like 5,000,000 of tonnage, while during the war it lost something like 2,000,000 tons in consequence of the fear which merchants had of the vessels being captured. What occurred to the Americans in reference to their large mercantile marine would, in the event of a war on the part of this country, occur to our commercial marine. We should lose a very large portion of the mercantile supremacy which we now enjoyed. Those who were opposed to the policy of his Amendment might hold that in the event of a war it would be impracticable—that it was a mere theoretical proposition. But what took place during the Austro-Italian, and the Franco-German Wars? In the former case Austria, being a party to the Declaration of Paris, observed, in the strictest manner, the language of that Declaration, and during the Franco-German War, vessels were allowed to pass in and out of port without molestation with what might be considered contraband of war—coals. This was not a theoretical proposition, but a proposition capable of practical development and of proving beneficial to the great commercial interests of this country. Again, it might be said that in the event of war we might convoy our commerce; but he held that to be practically impossible nowadays. The policy indicated in his Amendment, he submitted, was the only correct, safe, and sound national policy which could be adopted by a great commercial country such as ours.

SIR WILLIAM HARCOURT said, he did not think that a great deal new could be said on this subject. It was about 16 years since this question, then of first-rate importance, was debated during two nights by some of the most eminent persons who ever sat in the House of Commons. He did not think that a single argument had been advanced to-night which would not be found in that discussion, which was held immediately after the Report of the Committee to which his hon. Friend the Member for Maidstone (Sir John Lubbock) had alluded. The result of that discussion was that Mr. Horsfall, who brought forward the Motion on the subject, did not go to a division, but withdrew his Resolution. The objections taken at that time would apply equally to the form of his hon. Friend's Resolution. That Resolution was not uncandid in intention—anything coming from his hon. Friend could not be so—but it was very delusive in its character, because he imagined that in the form in which it stood, it would command the support of the hon. Member for Cumberland (Mr. Percy Wyndham) and other hon. Members who disapproved the Declaration of Paris. It was a pity with the opinions his hon. Friend entertained that he did not bring forward the question in a manner more in accordance with the views of the hon. Member for Sunderland (Mr. Gourley), because that really raised what the hon. Baronet intended to raise. Nothing could be more unsatisfactory than that by a combination of the hon. Baronet and his supporters on the one side, with the hon. Member for West Cumberland and those who agreed with him on the other, this Resolution should be adopted, for the views of the one party were diametrically opposed to the other. The phrase which his hon. Friend the Member for Maidstone used seemed to involve an entire fallacy. His hon. Friend said his proposal was an extension, and a necessary extension, of the policy of the Declaration of Paris. You might as well say that the extension of the Great Western Railway would be an extension of the Great Northern. They did not go in the same direction, they had not the same object, they were not parallel in any respect. What was the object of the Declaration of Paris? It was to make a concession in favour of neutrals. So far as it limited the rights of belligerents, that was not the direct object, but was the indirect effect to a certain extent of the policy of the Declaration of Paris. The result of the Declaration of Paris was, that we gained, as he thought, a great deal, and we might have lost something, though he had never been able to satisfy himself of the weight of those arguments intended to show that England lost by the Declaration of Paris. He did not, however, intend to argue that question now. What was the result of that Declaration as regarded the great trade which the hon. Member for Maidstone had described by his figures? The substance of that trade—all the import and all the export trade of England—had been made absolutely safe. As regarded the *corpus* of the trade, it had been rendered absolutely secure by the Declaration of Paris to a degree it never was before. It was said that, at all events, the carrying trade had been diminished by the Declaration of Paris. He was not quite sure about that. It might be so to a great extent; even if it was, it was only in consequence of the encouragement given to put goods into neutral vessels on account of the greater security of these vessels. You did not make your own goods a bit safer from capture; but there was a certain convenience in the neutral character of vessels, and *pro tanto*, no doubt, the carrying trade of England would suffer. But when we were looking at the balance of interests of this great commercial country, we must estimate them fairly. We must consider that the *corpus* of the trade was of infinitely greater value than the vessels which carry the trade. Now, if that was the effect of the Declaration of Paris, what was its object? Its object was to make certain concessions to neutrals which could not wisely—he would not say safely—be refused to them. One of the tendencies of modern times, which they must all value, was the desire shown in all recent wars to localize those wars—to confine them to the territories of the immediate belligerents. What could better prevent the danger of hostilities spreading than the removal of all possible offence or injury to neutrals? And that was one of the effects of the Declaration of Paris. The proposition before the House had nothing whatever to do with neutrals; they had no interest in it. Their interest, to a certain extent, was against it, because they derived benefit from the trade falling into their lap. It was therefore an entire fallacy to speak of this proposition as a consequence of the Declaration of Paris. What was it, then? It was an attempt to alter the relations between belligerents themselves. That might be right or it might be wrong, but the two things were different. The hon. Member for Sunderland (Mr. Gourley) fell into a fallacy when he said that in the Austro-Italian War the belligerents observed the Declaration of Paris. Of course they did—they observed it towards neutrals, towards those who were not in the war. But it was a totally different thing when you came to belligerents. Belligerents had no law binding them as between belligerents. *Inter armā silent lejes* was the maxim. There were obligations in the midst of war which belligerents did observe, and his hon. Friend said, "Let us make this one of them." Then came the question how far were we likely to succeed? We might easily make obligations which belligerents would respect as regarded neutrals where their interests were not involved and against whom their passions were not inflamed; but it was a totally different thing to try to bind belligerents who were fighting for their existence. The hon. Member had put the case of a great Power fighting with a weak Power, and he observed upon the immense damage the latter might inflict upon the maritime commerce of the former by sending out a few *Alabamas.* But did the hon. Member suppose that in case of war the weak Power would refrain from sending out such vessels to cripple her adversary as far as possible? When, by the fact of war being declared, all contracts and all obligations between the belligerents had been dissolved, was it to be hoped that either of them would consent to be bound by a band of straw? The hon. Member urged them to place goods at sea in the same position as goods on land, and to exempt them from capture. But the argument of the hon. Member in support of that supposition had been disposed of over and over again. It was said that private property on land was not subject to capture as private property on sea was; but that allegation was not well founded in fact. Private property on land might not be seized and carried off as it was at sea; but, nevertheless, it was dealt with as distinctly and as completely as private property at sea was. The principle of the right to deal with private property on land was as universally conceded as was that of the right to deal with such property at sea. It was quite true that an army did not plunder and carry away private property on land; but there were two reasons why it should not do so—in the first place, plundering would demoralize the troops; and, secondly, carrying away the property would encumber them and render them less efficient as soldiers. But during a war an army in an enemy's country exercised their right of requisition—they demanded what they wanted and exacted it—and at the conclusion of a war an enormous indemnity was insisted upon; and in both cases the demands had to be satisfied out of private property. Therefore, the only distinction in the mode of dealing with private property on land and at sea was one of practical detail, and not of principle. When a nation was conquered on land, the victor, so to speak, became master of the people, the Government, the territory, and everything else; but it was not necessary to take the goods in the same way as at sea. At sea they could not conquer a territory, for the sea was the territory of no one. It was only by the capture of goods and the taking of specie at the moment that they could exercise their right. The principle was the same. They asserted their right of war *in omnibus* by land in the same way as they did by sea. Had the hon. Member ever heard of embargo, which meant the detention of private property during a war, or of reprisals, which also involved the capture of private property? Those were assertions of the right to seize the private property of the enemy at sea. The general principle was that war was not war merely between Governments or between Navies and Armies, but between peoples. If the principle of the hon. Member's proposal were to be adopted, it would be necessary to go far beyond the terms of his proposal. What the hon. Member really wanted was to make war not war at all. It was a universal principle of law that when war broke out all contracts between private subjects of the two belligerents were suspended during the war; therefore, private property was dealt with on land in this respect as much as if it were at sea. What did the hon. Member suppose would be the consequence if his proposal were carried into effect? Commerce would be carried on at sea exactly as if war did not exist, and the two Navies would be pitted against each other as though they were in a cockpit. If the Navies were pretty evenly matched, a good deal of entertainment would be afforded to neutrals, who would probably learn more about the effect of torpedoes, projectiles, and rams than they knew at present. But, assuming them to be unevenly matched, as the Russian and English Navies would be, what would happen would be that, as during the Crimean War, the weaker Power would shut up her ships in her ports, and at sea everything would go on just as though no war existed, and naval hostility would result in what had been called a nautical stalemate. There were two plain and simple objections to the proposition of the hon. Member which he would like to hear answered. The hon. Member had said something about the subject of blockade; but he was unable to understand exactly what were his views upon the point. Nobody doubted that blockade brought the most satisfactory pressure to bear upon an enemy which a great maritime Power could avail itself of. The hon. Member had contended that, in the case of Russia, the pressure would be largely reduced in consequence of the facilities for goods traffic which the railways afforded; but that contention was not well founded to any important extent, inasmuch as there were many classes of goods of a heavy nature which it would not pay to convey by railway. He asked the hon. Member whether, if it had not been for the blockade of the Southern ports during the American War, the North would ever have reduced the South? Could anyone really believe that, in the event of a conflict between this country and France, or Italy, or any other country possessing important ports, the right of blockade would not be of the greatest assistance to us? Railways had, no doubt, modified the conditions somewhat; but, in his opinion, blockade would always remain one of the most important weapons that England could wield in the case of a war with another Power. The hon. Member, however, must admit that the right of blockade could not be maintained in the face of his proposal. If private property at sea were to be exempted from capture, how could a blockade be maintained? Then, again, how did the hon. Member propose to deal with the question of contraband of war? Contraband goods were private property, and if the hon. Member's proposal were adopted, they might be carried by either neutrals or belligerents. Could anyone believe that belligerents would permit goods which were contraband of war to be carried into the enemy's ports? The hon. Member was in this dilemma—he must either not stop contraband or he must preserve all the practical evils to which he wished to put an end. Then, what did the hon. Member propose to do with the ships themselves? In the present state of circumstances ships were the most dangerous contraband of all. It had been lately urged in that House that our great maritime steamers should be kept in a condition that would enable them to be converted into vessels of war upon very short notice; and it was well known that Germany was encouraging the running between Hamburg and the China Seas of large steamers which, at a few hours' notice, could be converted into the most formidable cruisers that any nation in the world possessed; and, by carrying a few guns in their hold, the Cunard, or the Peninsular and Oriental, and similar steamers might equally be turned into vessels of war. Could it be supposed that any belligerent could afford to let such vessels pass through her lines as private commercial ships, when on reaching a vital point they might become powerful engines of war? In the case of war with Germany, if we were to allow such steamers to proceed on a commercial voyage to the China Seas, they might utterly destroy our Australian trade. He asked the hon. Member and those who supported this Motion to give a practical answer to that practical question. If vessels of this character were not to be exempted from the rule of the hon. Member, what was the use of the rule? And, if they were to be exempted, what security had a country like England that her possessions in every part of the world could be effectually defended against the attacks which such vessels might make upon them? There was only one security for a great naval Power—as far as you could and as soon as you could—to sweep the enemy from the seas. Not only must we preserve our right to fight against the Navy of our enemy, but to capture all the ships it possessed and all the means it possessed by which we might be attacked. He would never be a party to any proposition which tended in any degree to diminish the force of the maritime supremacy of England. That was the legitimate arm of this great Empire —that arm by which we defended our extended Empire. He went a great deal further—there was no security in war unless we were strong for offence as well as defence. We made concessions to neutrals in the Declaration of Paris for this reason, or supposed reason—that we should be stronger against our foe when at war. We surrendered something of our power of capture; but we did not inspire the jealousy, the hatred, and possibly the hostility, of neutrals—and now, when we had purchased that right, to turn round to weaken and diminish our power against our enemy would be wholly unjustifiable. We could not cope with the great territorial armies of the Continent. Our natural and our strong arm was our maritime supremacy. He was prepared to support the Government of this country in strengthening and upholding the maritime supremacy of England. This was a proposition which, although it might appear seductive, was unsound in principle and would be highly injurious and unworkable. They could not make war anything less than a terrible scourge. No one was more averse from war than he was. He would do everything in his power to prevent it; but it was necessary to strengthen our arm in order that the blow might be heavy and the war short, sharp, and decisive. His hon. Friend the Member for Maidstone had referred to a speech delivered by the Chancellor of the Exchequer not altogether unfavourable to his view; but the right hon. Gentleman distinctly declared against the adoption of a Motion similar to the present. He also referred to an opinion on the same subject expressed by Lord Palmerston; but Lord Palmerston, with that frankness and manliness which belonged to him, afterwards confessed on mature reflection that the idea was an injurious one and ought not to be supported. He did not wish to detain the House any longer on this matter, but one short quotation he would like to make. It seemed to him that this proposition was full of danger. In 1862, the present Prime Minister said—

> "I cannot myself dissociate the interests of nations and of Governments. It seems to me dangerous to do so. It may make rich societies, but will surely make weak States. I cannot believe that armies and navies can flourish when they are no longer bound up with the interests and passions of the community. . . . I do not want to see the community entirely severed in sentiment from those who govern it. Patriotism depends as much on mutual suffering as on mutual success, and it is by that experience of all fortunes and of all feelings that a great national character is created."—[3 *Hansard*, clxv. 1703-4.]

It was because the Motion of his hon. Friend sinned against these principles, that he, for one, should, without hesitation, record his vote against it.

MR. PERCY WYNDHAM said, it was impossible to discuss this question without bearing in mind that we might possibly be involved in war. His hon. Friend the Member for Maidstone, in the opening of his speech, had proved to demonstration that Article 1 of the Declaration of Paris was not worth the paper on which it was written. That Article declared that privateering was abolished—that it was illegal and impossible. But it certainly would be revived under another name. It was revived in the war of Prussia against France, and the course pursued by Prussia was perfectly legal. If we were involved in war with Russia, there was nothing to prevent her employing any number of American ships as privateers against the power of this country. He did not believe in a war party in this country, but we might be forced or dragged into war against our will; and only three weeks ago, the action taken by the British Fleet was such that in the opinion of many we ran great risk of immediate war. We could not shut our eyes to the fact that at this moment we might be—although he hoped not—on the eve of war with Russia. In that case, under the Declaration of Paris, we left Russia every means and power of injuring us, and took from ourselves all means and power of injuring Russia. Mr. Cobden said the geographical position of Russia was such as placed her absolutely at the mercy of any strong maritime Power with which she might be at war. Mr. Cobden made another remark during the long progress of mining operations before Sebastopol. He said—

> "You cannot on the land get behind her to kick her back side. You can only bring your power to bear against Russia by stopping her trade."

She could not exist unless she could get rid of her raw produce; but we could exist without her corn. In 1875 the total export of wheat or wheatmeal from Russia was not more than 10,000,000 cwt., whereas what we received from the United States and Canada amounted to over 30,000,000 cwt, Unless Russia could get rid of her raw material she was a ruined country, and could not carry on a war for six months. If we remained under the Declaration of Paris, and if we continued to waive our right to seize the goods of our enemies in neutral bottoms, it would be useless to maintain the principle of blockades. A very high authority, the late Mr. Lindsay, who sat in that House for Sunderland, stated his opinion as to the futility of a blockade under the Declaration of Paris in a paper read before the United Service Institution. Mr. Lindsay said—

> "The blockade of the Black Sea and the Sea of Azov was little better than worthless, for in one season alone, while the war was being waged—that commencing in May, 1854—no less than 453 ships, carrying 770,000 quarters of linseed, representing a value of £1,000,000, sailed from those seas—a larger amount by 60,000 quarters than had been previously exported in any one year of peace. Nor does that appear to have arisen from any want of vigilance on our part, for Sir James Graham, the then First Lord of the Admiralty, on the 26th of May, and again on the 1st and 13th of June, 1854, stated in the House of Commons that distinct orders had been sent by the Governments of France and England to institute a 'rigorous blockade' of the principal Russian ports, both in the Baltic and in the Black Sea, and that the effect of that blockade would apply to ships of all nations, whether neutral, French, or English."

And Mr. Lindsay added—

> "We cannot remain in the position the Declaration has left us without imperilling our mercantile marine, and with it, not merely the well-being, but the safety, of the nation."

He asserted that there was no country which would be affected by the blockade. If we were to blockade France or Russia, those countries could send their goods to other countries by railway. All parties, he believed, were agreed that the Treaty of Paris of 1856 was now no better than so much waste paper. The Conference or Congress was about to assemble because that Treaty was no more. The only point in dispute among hon. Members seemed to be as to who first violated the Treaty of Paris, and who had dealt it the hardest blow. The right hon. Member for Greenwich (Mr. Gladstone), and those who concurred with him, considered that Turkey had done so, because she did not comply with those conditions of the Treaty which had reference to the good government of her own subjects. On the other hand, he, and many others, regarded Russia as the great offender, in having contravened the provisions of the Treaty by interfering with the internal arrangements of Turkey, which was expressly forbidden by the Treaty. Well, the Treaty, which it was supposed greatly benefited us, being now a thing of the past, could it be maintained that we were bound by a Declaration which all sides condemned, and which was made at the same time as the Treaty of Paris, and by the same statesmen, taking the same view of the state of Europe and the world? He contended that it was impossible we could allow the Declaration to remain to our own great injury, when the Treaty concluded at the same time by the same statesmen was no better than waste paper. If his hon. Friend the Member for Maidstone pressed the Motion to a division, he should certainly vote for it. The effect of our undertaking a war in the present state of international law would be that the whole of our trade would go away from us, and, at the some time, we should lose all power of injuring our adversary. Moreover, it would be an extremely fortunate thing if we did not also lose our sailors of the Mercantile Marine. It was impossible for us to remain in the position in which we were now placed. We must either take a step in advance, as was proposed by his hon. Friend, or else we must fall back on the ancient international law, and our undoubted right in war to seize the goods of an enemy wherever they might be found.

Mr. Serjeant SIMON said, he was as completely opposed to the views of the hon. Member for Maidstone (Sir John Lubbock) as anyone could possibly be. The Motion was so wide, vague, and indefinite, that anything might be included under it, so that the opponents of the Declaration of Paris and the opponents of our maritime rights in time of war could join the hon. Member's supporters. The hon. Member for Sunderland (Mr. Gourley), in his Amendment, however, stated the thing he wanted, and pointed out distinctly what he desired. The hon. Member had quoted a speech of Lord Palmerston. He (Mr. Serjeant Simon) would quote from another. Lord Palmerston, speaking in 1865, said—

> "My own opinion is, and I hope it will be the opinion of this House, that the principle which the hon. Member for Liverpool recommends"—

and which the hon. Member for Sunderland has recommended to-night—

> "if carried into practice, would deal a fatal blow to the Naval Power of this country, and it would be an act of political suicide."—[3 *Hansard*, clxv. 1697.]

In his opinion it was the duty of a nation, above all other considerations, to maintain its sovereignty and independence. A maritime country like this could only fight with the weapons which nature had placed at her disposal. It was contrary not only to all the recognized principles of international law, but to human nature itself, that one part of a nation should be at peace while the rest were at war or fighting through its mercenaries. If we were allowed to drive a roaring trade while we were engaged in hostilities, we should soon arrive at a state of complete callousness to the sufferings which war entailed. But the truth was, a people could not be dissociated from its Government, and if our Armies went out to fight, the whole nation ought to share their sufferings. He saw no philanthropy at all in sparing your enemy's property while you blew your enemy to pieces from the cannon's mouth. They had been told that this seizure of private property was a relic of barbarism, but that he entirely denied. It would be a return to barbarism if they were to mutilate or kill their prisoners of war. For that they substituted what he would call the civil process—that of sparing, as far as possible, the lives of their enemy, but depriving them of their property. He denied, too, the allegation that private property was held sacred upon land in time of war, and referred to the conduct of the troops under the command of the Duke of Wellington during the Peninsular War, to show that they did not hesitate to destroy the dwelling-houses of the people, and to use the materials for fuel; and, therefore, it was that he had put upon the Paper his Amendment, to the effect that any further restriction of our maritime rights in time of war would be detrimental to our position and to our interests as a first-class Power. Again, the proposition of the hon. Member for Sunderland (Mr. Gourley) amounted simply to this—that we were to disarm ourselves in the presence of an enemy. No doubt the military Powers would be glad to see us concede the principle contended for, because we should then be as powerless at sea as we were now on land. They might then trample upon our rights, insult us, and defy us with impunity. Supposing we accepted the hon. Member's proposition, and went to war with a Power which kept its Navy in its harbours, there would be nothing to prevent the so-called hostilities from going on indefinitely. Our enemy would hardly suffer inconvenience, far less injury, his only vulerable point—namely, his commerce—being protected. Earl Russell, speaking on this question since the signing of the Declaration of Paris, said that one reason why foreign nations were unwilling to go to war with this country was, that they felt their property at sea would fall into the hands of our cruisers. If they were sure that they would not suffer in this way, one great reason for their remaining at peace would be taken away. If we carried out the principle advocated by the hon. Baronet, what would be the result? We might send out our Navy to fight the Navy of the belligerent, which, as was the case during the war with Russia in 1856, might be shut up in her ports; and all that time the enemy might be carrying on a rattling trade with this country, and obtaining those means which would enable her to carry on the war while we would be unable to do anything effectual in the way of coercion. It was by crippling the resources of the enemy and impoverishing her that we could secure her defeat and bring the war to an end. He had never altered his opinion as to the Declaration of Paris. To yield up our right from time to time as occasion required was a very different thing from giving it up altogether, and he believed the time would come when we should be obliged to bid defiance to the Declaration. The Treaty negotiated by Sir William Temple with Holland, after subsisting for 90 years without any inconvenience, was put an end to in 1606, when, being at war with France, it was found that that country was carrying on a large Colonial trade and obtaining supplies through Dutch vessels; and the result of that Treaty being broken was that the war was brought to a speedy termination. Then, again, what took place in regard to the armed neutrality of 1780? All the nations of Europe, in defiance of existing Treaties, joined with Russia; but, 15 years later, every one of those nations withdrew one by one as soon as they found it inconvenient to their interests to remain. It was said that we ought not to talk of British interests. He believed a great country like England ought to have no interests that were not consistent with her duties to the world and the rights of humanity; but one of the first interests of humanity was self-preservation, and one of the first duties of a nation was to take care of itself; and he was not aware that a nation like ours needed to be drawn into any act which was not consistent with that duty in its widest sense. British interests meant the interests of humanity; and, England claiming to be at the head of civilization, was bound in duty to herself and to the cause of civilization to maintain her power, and not to yield up one jot of those means which nature and her own prowess had placed in her hand for her own preservation, and, as he believed, for the interests of mankind.

Mr. GRANT DUFF said, he rose under a great difficulty in endeavouring to combat the views of so great a master of international law as his hon. and learned Friend the Member for Oxford (Sir William Harcourt). But the question was one which was not to be settled by the *dictum* of any international lawyer, however eminent. It was a question of policy, in dealing with which every Member of the House might be supposed to stand more or less upon a level. The hon. and learned Member for Oxford had charged his hon. Friend the Member for Maidstone (Sir John Lubbock) with drawing his Resolution in such a way as to catch votes. He could assure the hon. and learned Gentleman that nothing was further from his intention, and that the words which he had put on the Paper were only representative of his own feelings on the matter. The hon. Member for Maidstone did not, like the hon. Member for Sunderland (Mr. Gourley), wish to commit the House to any particular course of action. His hon. Friend the Member for Maidstone had, in his opinion, done good service to the commercial community and to the people at large by forcing the subject upon the attention of Parliament, and endeavouring to obtain from the Government some clear expression of their views with respect to it. Sixteen years had passed since the Chancellor of the Exchequer, who was then in Opposition, pressed it upon the attention of Lord Palmerston's Ministry in these words—

> "What are we to do now? Are we to go forward, backward, or in what direction? Is the noble Lord prepared to leave the matter to the chapter of accidents, or to say that when war comes is the time when the whole question is to be determined?"

Again, later on, the right hon. Gentleman said—

> "If the Government will state that they will give the matter their anxious consideration, and make it the subject of negotiation and representation with other countries, I feel assured that my hon. Friend will not feel himself under the painful necessity of dividing the House."

Well, the hon. Member for Maidstone did no less and no more that evening. The matter was one about which the House had a distinct right to ask for the guidance of the responsible Advisers of the Crown. It was not a small matter; it was a matter of the very first importance. If his hon. Friend was right, then we were making one of the gravest possible mistakes which a nation could make in not acting upon his advice; while, if he was wrong, he was the advocate of a pernicious and dangerous heresy, which deserved and required to be exposed and refuted. It was a speech of the Chancellor of the Exchequer's which, perhaps, most of all, infected him (Mr. Grant Duff) with what the Chancellor of the Exchequer would probably now regard as a pernicious heresy; and if the right hon. Gentleman, who now was Leader of the House, could refute it, thereby answering his own—as it seemed to him not easily-answered—speech of March 17th, 1862, he would succeed in bringing back at least one errant lamb to the orthodox fold—a fold out of which the right hon. Gentleman did as much, at least, as anyone else to lead him. Well, then, the arguments that had most effect with him, and to which he should like the right hon. Gentleman to reply, were these. By the repeal of the Corn Laws and the great measures which followed in the same direction, we broke entirely with our old policy—that a nation with its Colonies formed a united organic whole, and should be completely independent of other nations. We gave up that idea, and accepted the theory of national interdependence. But our new theory we had never fully carried out to its logical result. Our old theory contemplated nations as being usually in a state of war, and its arrangements were made to provide against that state of things. Our new theory required us to consider that peace was to be our normal state, and to give expression to that view in our policy; whereas we had kept up a great number of practices which were perfectly reasonable at a time when war was considered the natural state of man. Of all the nations of the world, we had the greatest interest in the prosperity of the others. We could hardly capture a merchantman of any size in any of the seas of the world without in some way inconveniencing some one or more citizens of our colossal Empire. We could hardly blockade any portion of any coast without doing the same, nor could we enforce the right of search for contraband of war almost anywhere without a similar result. A Power in such a position as that had a *primâ facie* interest, not in keeping up, but in diminishing, the old harshness of belligerent rights at sea. There might be valid arguments on the other side, but the *primâ facie* interest of such a State was in favour of a mild maritime code; but what were the objections taken to this *primâ facie* view? His hon. Friend the Member for Maidstone said we had a larger mercantile marine, and especially a larger steam fleet, than all the rest of the world put together; and further, that almost all the most valuable commerce of the world was in our hands. We presented, therefore, a wider vulnerable surface than any other country. He went on to say that commerce, being naturally timid, would have a tendency to fly to the ships of the neutral, where it would be protected by the Declaration of Paris, and that, having once fled, it might take some time to come back to us again. To this it was replied that our fears were exaggerated, that commerce was not as timid as we supposed, that it would not at the first rumours of war take refuge in the ships of the neutral; but how could we get over such facts as those mentioned by Mr. Horsfall in his opening speech in 1862, when he told us that when there was a rumour of this country being involved in hostilities with the French Empire in 1859, second-rate American ships obtained freights in Canton and Calcutta 50 per cent higher than first-rate British ones? Till such facts were met and explained away successfully, we should be right in dreading the effects of the timidity of commerce. Then we were assured that our Navy and the vessels which we could turn into ships of war were so numerous that we could provide convoy for all our most valuable commerce. Those who said so very much underrated the extent of that commerce; and it would be remembered that even in the old war, convoy was inconvenient enough, though it was possible. Now, however, unless our commerce was to shrink to very humble dimensions, it would be absolutely impracticable. Next, we were told that we had such a hold on all the best coaling stations through all the seas, and had so many points of vantage, that we could make it impossible for any enemy to move about. If so, one of the most important advisers of the Government, Sir Garnet Wolseley, must have been sadly mistaken, as anyone might see who read his recent article in the *Nineteenth Century* review. He himself believed that Sir Garnet's case was overstated; but a far smaller amount of risk than that indicated by him would form a sufficient answer to those who relied too much on our points of vantage. But, turning from what he might call the defensive to the offensive argument, the opponents of the hon. Baronet might say that, whatever might be the difficulties of defending our commerce, we were so tremendously strong at sea, and so comparatively weak on land, that it would be madness to cripple our right arm by giving up the power of capturing the merchant vessels of the enemy. And those who urged that we should give up that right had almost been called unpatriotic for so doing. If that were so, then *cadit quæstio.* We were certainly not the proper people to urge the change. If he thought that the result of giving up this right of maritime capture would be to cripple the strength of England, he would not be there that night to advocate such a course; but the case which was pressed by the hon. Member for Maidstone was that, far from weakening us, the suggested change would greatly strengthen England by enabling her to apply her strength with far greater effect than she had ever done before. The tendency of modern warfare was to strike at the heart of an enemy—to produce great results by great efforts. A Power which resorted to the trifling kind of warfare which used to be so common, taking this or that little dependency which was often not worth the trouble of keeping when they had got it, would in future wars be the beaten Power, and at the end of the contest would have to pay a very heavy bill to the victor for its small successes. If the hon. Member for Maidstone had his way, our Navy in future wars would be kept for purposes which could really have a great effect on the final issue, for making England and all our points of vantage throughout the world hopelessly unassailable, and for enabling us to strike out wherever our enemy was most vulnerable. If a navy did that, it did a great deal. Suppose, for instance, we ever had to fight in Egypt. Whether should we be stronger if our Navy were engaged in keeping up the communications of our troops there with England and India—the two great reservoirs of our military strength—or in petty and *quasi*-piratical captures up and down the seas, or in the hardly more glorious duty of acting sheep-dog to our own commerce? That question did not appear to him to admit of a moment's discussion. Then they were reminded that sailors would not like to lose their prize-money. Now, prize-money was not a very dignified inducement at the best, and in future wars might well act against rather than for the interest of a great maritime Power. Wars were now decided, as he had already said, by operations on a great scale, while the tendency of prize-money was to tempt dashing seamen away from the great vessels which figured in great enterprizes to smaller vessels which waged a petty warfare productive of little but "misery in waste." Then it was said that it would be monstrous if the mercantile ships of an enemy might come into Portsmouth without chance of capture when we were at war. That, however, raised an altogether different question, and had nothing to do with his hon. Friend's Motion. Of course, the mercantile ships of the enemy would not come into Portsmouth unless to bring something that Portsmouth wanted, and would not be allowed to do so unless the existing prohibitions against trading with an enemy had been for some good reason relaxed. Then they were told that the hotter the war the sooner the peace, and that if they allowed the merchant of an enemy to send his goods about as if there were no war, wars would be lengthened intolerably; but the same argument would hold good against every mitigation of ferocity which distinguished modern from ancient war. They would now think it very shocking if, when the Germans entered Champagne, they had made it their business to cut down every vine in the country. To a Greek it would have appeared the most natural thing in the world. It was now thought to be wrong to murder prisoners, and we made very just reflections upon the doings of the unspeakable Turk in that behalf; yet a man, whom an eminent dignitary of the English Church, who was better known, he thought, in that House than any other dignitary of the Church—he meant the Dean of Ely—called the greatest name in history, spoke in the coolest manner of murdering prisoners. *Et omnes necavit*, he said somewhere, as if he were speaking of the most indifferent action. Then the argument which was sometimes used on his side—not, he thought, a very strong one—that, namely, we should cease to destroy or seize private property at sea because we abstained, to a great extent, from interfering with it on land, was met by the bold assertion that we did interfere with it as much on land as on sea; but that was certainly not so. The practice of recent wars was an immense improvement upon that of the wars even at the beginning of this century. Of course, requisitions were made, and must be made. No one would object to their being made at sea in similar circumstances, but the tendency was always more and more to protect private property on land. He himself knew a house in France on the scale of a great English country-house, filled with pictures and books and treasures of all sorts, which lay right in the storm track of the German invasion in 1870. Well, thousands and thousands of Germans passed through it and were accommodated there, but the amount of property carried off was quite infinitesimal. If that great chateau had been a ship, it would have been liable to be carried off by the victor bodily with all its contents.

But some people said—"Well, we do not care so much about the right of maritime capture, but we do care a good deal about the right of commercial blockade." His hon. and learned Friend the Member for Oxford had referred to that subject. Now, here, too, he was perfectly open to conviction, and he should like his hon. and learned Friend to point out any one country with which we were ever likely to be at war which we could successfuly blockade. The whole position of affairs had been altered by railways, and it was now next to impossible to enforce commercial blockades; and if they did enforce them, they would do as much harm to themselves as to their foe. He used to think that the strongest point in favour of the old law by its advocates was made, if he recollected aright, by Lord Palmerston, when he pointed out that blockade was a convenient method of bringing to good behaviour small communities, which might give trouble as some of the South American States had done in time past. He had now, however, come to the conclusion that more direct methods would be better for all concerned. He need hardly remark that nothing he had to say against commercial blockades had anything whatever to do with blockade as a naval operation directed against fortified places or the armed ships of an enemy, or as forming in any way part of an operation of war properly so called. He spoke merely of blockades intended to distress the commerce of an enemy, which blockades, he believed, would usually be in our case a weapon of which the handle would cut as badly as the point. The hon. and learned Member for Oxford had argued that it would be absurd to abolish contraband of war, but the hon. Member for Maidstone had never dreamt of doing that. All that the hon. Member wished was that a country situated like England should do its utmost to minimize the list of articles which should be considered contraband of war. There were two schools of thought, one which wished to minimize, and the other to maximize, contraband of war; and he thought it was the interest of England to minimize the number of articles, and the places in which the right of search could be exercised, As to the fear of merchant steamers carrying one or two long guns being sent out for an attack on Australia, he was considerably mistaken if their Australian Colonies would not give an extremely good account of any vessels going on such an expedition. Then it was said that shipowners, if protected, would desire war to get war freights. He thought better of them; but, even if they did, even if all the shipowners in the country should wish the country to go to war, their influence would be very small, for they would not have another war unless the vast majority of the people wished for it. It was said it was idle to enter into any such pact as the hon. Member for Maidstone proposed, because a state of war put an end to all Treaties between the belligerents; but that certainly would not be the case with regard to a Treaty which expressly contemplated the attitude which was to be taken up by nations to each other during a war. Once abolish the right of capturing merchant vessels at sea, and no Prize Court in a civilized country would have Judges so infamous as to maintain the legality of a capture made in defiance of engagements which they would hold to be sacred. No Power could say with confidence that, if Great Britain was at war, it would assuredly be neutral. Of all nations in Europe we were the one most likely to pass the greatest number of years out of the next half century in a state of neutrality, and no wise Power could wish the continuance of practices which might at any time turn out grievously inconvenient to itself on the chance of picking up some of the fragments of British commerce which would be broken up by war. But we need not speculate when we could appeal to facts. America, the Power most likely to fight us at sea, and most likely to gain by being neutral while we were fighting, would be, he understood, quite willing to close with the proposal now made—at least, as to maritime capture. He urged these points at this particular time, because it was hoped and believed that there was soon to be a great European Meeting. We should go into that European Meeting under very peculiar circumstances. He did not think that the most self-satisfied Briton thought we should go into that Meeting under very glorious or satisfactory auspices. He did not say to which of the two great Parties that divided politics in this country the greatest blame for that state of things attached, but it must in fairness be to a considerable extent shared by both. Everything in our Eastern policy which, up to 1875, was blessed by all the greatest of our statesmen, had been cursed by events, and everything that had been cursed by all the greatest statesmen of this country up to 1875 had been blessed by events. That could not be an agreeable position for the Government, but they had the opportunity of recovering a great deal of reputation, and writing a glorious page in history. He should like them to accept the views which the hon. Member for Maidstone and others had advanced, and if not officially, at least officiously, to discuss them with the other Powers of Europe at Berlin. If they were to do that, it was more than probable that results might ensue which would be a great deal more important than even the relaxation of our maritime laws, for which he was most anxious. He believed it was quite within the power of diplomacy and goodwill at that moment to initiate a proposal for the partial and considerable decrease of great armaments. In the whole range of statesmanship there was no object to which it could be more desirable to devote attention, and if the Government took up those views in a fair spirit, it would be in their power to initiate one of the greatest reforms which could be effected by the nations of Europe.

Mr. GREGORY said, he could not agree with the hon. Member for Maidstone in the views he had expressed as to the insufficiency of our Navy to protect our commerce in the event of war. He thought, on the contrary, that the Navy was fully adequate to the task of protecting it, and at the same time of sweeping from the face of the sea that of any other nation with whom we might be at war. It was true that steam navigation, and the ships that were built at the present day, tended to equalize maritime power; but the introduction of steam had equally altered the means as well as the conditions of attack and defence. It might be that an enemy's commerce would be carried on by neutrals; but, whether by land or by sea, this would involve prejudicial restrictions tending to increase the price of goods, particularly where the crossing of a frontier exposed them to the imposition of duties that would otherwise be avoided. These disadvantages, coupled with those of blockade, would put considerable pressure on the populations of large towns and materially influence public opinion in regard to the objects and prosecution of war. There was no analogy between the protection of property on land and its protection at sea; for on land it was the interest of the belligerent to save that which he might require and to conciliate the people on whom he might depend for supplies, and who, for the time being at least, were *de facto* his subjects, while the destruction of an enemy's commerce by sea was prejudicial to the enemy alone, and might affect his means and his disposition to prolong hostilities. If it were understood that commerce was to be freely carried on during war, a considerable pressure would be removed from classes whose interests were now seriously compromised, and the removal of this pressure would deprive us of one of the guarantees we now possessed against our being lightly plunged into war. That calamity involved the destruction of either property or human life; it was more philanthropic to direct operations against property than against life, and this philanthropic alternative was favoured by the maintenance of belligerent rights at sea. It made property liable to the consequences of war, and it brought home those consequences to persons who would not be affected by the loss of life. They were none of them anxious for war, and hoped it might be averted; but if, nevertheless, they should be engaged in war, the question would arise as to the best way of shortening its duration. Neither on the ground of expediency, nor on that of humanity, did he think they should go any further in the path of surrendering belligerent rights, and he confessed he agreed very much in the ideas which had been expressed on the subject by the hon. and learned Member for Dewsbury (Mr. Serjeant Simon). We had saved, as far as we could, the rights of neutrals; but if we extended similar privileges to belligerents, we should diminish influences that operated to prevent war, we should increase its horrors, and protract its duration. For these reasons, he must oppose the Motion.

Mr. A. H. BROWN: Sir, in rising to support the Motion of the hon. Member for Maidstone (Sir John Lubbock), I think the most convenient course for me to adopt will be to deal first with the Amendment with which the hon. Member for Sunderland (Mr. Gourley) purposes to meet it. I object to that Amendment, because it excludes from view various points of the subject under consideration which require the attention of the Government. I object to it because it concentrates attention upon one point, which, though of great importance, is not the only point in which the maritime law requires amendment. I object to it, also, because the question of exempting from capture private property at sea must be considered in relation to other points. Let me mention a few of these, before I go on to show what is the true interest of this nation with regard to private property at sea. The question of commercial blockades is one of these. Is it not the interest of this country to try and get foreign nations to consent to alter the present rule? At present, blockades can be established against commercial ports as well as naval stations. The only condition is that it is to be effective. A blockade of this character stops all the trade of an innocent neutral with the blockaded port. For instance—if France and Germany were at war, and France blockaded Hamburg, all our neutral trade with Hamburg would cease. Now, in the case of Hamburg, supplies for the inhabitants could be obtained by land. But, suppose that an effective blockade were established against us, and that our commercial ports were closed against the trade of a neutral, our supplies from abroad, which form so large a part of the food of this country, would fail. Comparing the injury we could inflict upon any other foreign nation with the injury they could inflict upon us by a commercial blockade, I think it will be apparent that it would be far more serious to us than to them, from the fact of the food of our people coming in such large measure by sea, while theirs, from the railway system, would come to them by land. You may say our Fleet would render this impossible. Do not forget that the Fleet has other duties to perform, and that we have to protect our Colonies as well as ourselves. Large as our Fleet is, its duties are still larger. But, assuming for a moment that a change in the principle cannot be made in the rule of the Declaration of Paris as to blockades, it appears to me that there are points of detail which might well be made a subject of international law. I refer to what I believe would be an improvement—namely, that no blockade should exist until neutral nations had received notice, by which they would be able to warn their subjects as to the ports to be blockaded, and date at which the blockade would begin. Wheaton says—

> "With respect to violating a blockade by coming out with a cargo, the time of shipment is very material. A neutral ship departing can only take away a cargo *bonâ fide* purchased and delivered before the commencement of the blockade."

Again—

> "After the commencement of a blockade, a neutral is no longer at liberty to make any purchase in that port."

Thus, it is plain that the date of the commencement of a blockade is very material in deciding the rights of neutrals and whether cargoes should be seized by a belligerent. The case of the *Betsy* may be mentioned as illustrating this. And, in order to show that different practices prevail, I may mention there are Treaties which follow one rule—such as that between the United States and Chili, 1832—which prohibit cargo being taken on board after a blockade has begun, while there are others which allow all vessels to depart without reference to the time of taking in the cargo. I now turn to another point, where I hope something may be done. I refer to the question as to conveyance of mails in case of war. In the Treaty of 1848, between the United States and this country, it is stipulated that the mail packet service is to be unmolested for six weeks after notice has been given by the two Governments that the service is to be discontinued. In the interest of commerce, this appears to be a regulation which might well be extended to all maritime nations. And the carriage of mails by neutrals is also a subject which ought to be regulated by an international rule. During the late Civil War, a Correspondence took place between Mr. Seward and this country, which resulted in the American Government declaring that public mails of a friendly and neutral power, duly authenticated as such, should not be searched. Mr. Seward—21st April, 1863—wrote, proposing a general regulation as to the immunity of public mails. It does not appear to have been followed up by any results. I hope that this point may be arranged. Another point appears to me to be of great importance. Wheaton, in his *Elements of International Law*, says—

> "It appears, then, to be the modern rule of international usage, that property of the enemy found within the territory of the belligerent State, or debts due to his subjects by the Government or individuals, at the commencement of hostilities, are not liable to be seized and confiscated as prize of war. This rule is frequently enforced by Treaty stipulations, but unless it be thus enforced, it cannot be considered as an inflexible though an established rule."

Sir William Scott (Lord Stowell) says the principles of reciprocity guide us; but as we have far more property in foreign countries than they have in our country, surely it is to our interest to extend the principle laid down in the commercial Treaties referred to by Wheaton, and make it a rule of international law, that property of an enemy found within the territory of a belligerent State at the commencement of hostilities is not liable to seizure and confiscation? The date as to the outbreak of hostilities between two countries is also a matter of great importance, for it regulates the relation of a neutral with the belligerent. Formerly, a formal declaration of war was necessary; but that is not so now, and there appears to be good reasons why the old practice should be returned to in the interest of the neutral. Manning says—

> "Though there are numerous instances in which war has been entered into without any notice (France and England in 1756, America and England in 1812), yet they are exceptions, and according to the usage of nations war should be proclaimed by manifestoes.
>
> "The recall of Ambassadors is usually considered as tantamount to a declaration of war. In our Treaty with Portugal in 1812, it is declared by the 21st Article that a rupture of pacific relations is not to be regarded as taking place till the recall or dismissal of the respective Ambassadors. This Article has been adopted by Brazil in her Treaty with France in 1826, with Prussia in 1827, with Great Britain in 1827, and with Denmark in 1828. It would be well if this Article were generally adopted, as it would prevent the many disputes and difficulties that arise from the want of power to ascertain the date when hostilities have commenced."

For these reasons, and many others which I cannot now stop to name, I think that an inquiry into the subject should not be limited, as proposed by the hon. Member for Sunderland (Mr. Gourley).

I now address myself to a question which, if carried against the views that I hold, would be fatal to the Motion before the House. It is this—Can you make a Treaty which shall be binding upon two belligerents when they are at war with each other; or, in other words, do not all Treaties come to an end in war? The hon. Gentleman the Under Secretary of State for Foreign Affairs (Mr. Bourke) said, last year, in a debate on this subject—"It was impossible to look on the Amendment"—Mr. Jacob Bright's Amendment had in view the same object as this Motion—

> "As it was going a step further than the Declaration of Paris, because the rule went in another and a different direction. It had no relation whatever to the principles laid down in the Declaration of Paris, for the Amendment related to belligerents *inter se*. Now, it was quite competent and reasonable for persons or nations to lay down rules binding as between belligerents and neutrals; but it was perfectly idle and futile to lay down rules which should be binding as between belligerent and belligerent."

Now, if that view were the correct one, it would be fatal to this Motion; therefore, I must try to show that that view is not correct. I think that can very easily be done; for the Declaration of Paris in its first clause is an engagement between belligerent and belligerent. The right of privateering can only be exercised upon a belligerent, and therefore the hon. Member is in this dilemma—that he approves of a document, one part of which appears to him to be idle and futile? Well, has it been idle and futile? No one will say so. Privateering has not been resorted to by any nation since the Declaration of Paris, and it is important to point out that 40 other nations have agreed to it. But there are numerous other Treaties which contemplate a state of war. In the Treaty of 1794 between this country and the United States—for the words are "in the event of war"—debts are not to be confiscated. The Treaty of 1848, which refers to the carriage of mails, also contemplates a state of war, for it says "that the mail service, in the event of war, is to go on unmolested until six weeks' notice is given." All Treaties which prevent debt due to them being confiscated in time of war prove the point, for they contemplate a state of war. Such were the Treaties between Great Britain and Russia, 1766; Austria and Russia, 1785;

France and Russia, 1787; and many others. Sir, I think, therefore, there is no force in the remark that you cannot bind a belligerent in time of war; and, that being so, I next ask if it would be well for us to make a rule that private property at sea should be exempt from capture? Manning, quoting Montesquieu on this subject, says—

> "The law of nations is naturally founded on this principle—that different nations ought in times of peace to do one another all the good they can, and in time of war as little injury as possible, without prejudicing their real interests."

What is our real interest? is the question. And here the question assumes this phase—In what way shall we best protect our commerce and mercantile marine in the event of war? And the first effect, if the Declaration of Paris remains unchanged, would be that the neutral, being protected, would become immediately the great carrier of our imports. I need not point out that this means the transfer of our carrying trade into foreign hands. Our ships would either have to be laid by idle in port, or would be bought by the neutral. Sir, this means the loss of one of the largest trades in this country, and the loss of the means of importing the food we want in our own ships. The tonnage of this shipping is over 7,964,570 tons, and is four times larger than that of any other nation. But, it will be urged, if you exempt from capture our private property at sea, you will deprive us of the means of destroying the mercantile marine of other nations. True; but they will not be able to destroy ours, and ours being four times the size of any other nation, it is easy to estimate which will suffer the most. Again, other nations supply their wants, from their geographical position, by land. We, from our insular position, cannot do so. Here, again, if we do not take this step, we are more vulnerable than other nations. Exempt private property, and we become equal to meet any emergency that may arise.

It appears to me that the mistake made by persons who examine this subject is this—that they confine the attention entirely to the offensive side, and neglect the defensive side of it. Examine it from the first point of view, and I can understand those who say it would not be well to tie our hands by saying that we should not capture private property at sea. Examine it from the other point of view, and you will see that it is of immense importance to prevent an enemy capturing our private property at sea. And, balancing the two sets of opinions, the latter must predominate; for, as it was well said, the injury to be inflicted on the commerce of any nation is not to be measured by the magnitude of the attacking force, but by the importance of the interest attacked. The destruction of the American marine by two or three badly-armed vessels—the *Alabama*, &c.—is an illustration of this. But, in our case, the damage would be greater, simply because we have many more ships afloat. I might illustrate my position by comparing it to that of two men about to fight, one of whom has lost two fingers, while the other has lost his right arm. Our position would be like that man who had lost his two fingers, and our opponent would be in the position of the other who had lost his right arm.

I now pass on to consider the reason why a different rule should prevail on land to that which prevails at sea. On land, private property, by modern practices, is not confiscated. Why should it be at sea? No doubt there is some difference. A great many American authorities are for the proposed change; and it is also supposed that at the time of the Declaration of Paris, Continental authorities would not have opposed the change. One American authority, however, Dana, in his notes to Wheaton, says—

> "That, though you ought not to take private property on land, you ought to do so on sea."

Two of his reasons, shortly, are as follows:—

> "You ought not to take it on land, because (1) there are such infinite varieties of kinds of property, some being almost sacred, and it would be difficult to discriminate between them; (2) because non-combatants need to be kept alive."

And he says—

> "That on sea those reasons do not apply, as cargoes are usually pure merchandise."

Now, I fail to see that there is any force in the opinion that you cannot separate sacred objects from secular. Why should you confiscate corn on board a ship and not on land? Why should you confiscate ships at sea and not railway carriages or horses on land? Both are the means of transport, and both may be used to facilitate the means of supply of the enemy. Then, he says that non-combatants need to be kept alive. Yes, that is true; and it is that very point which causes us to wish that private property at sea should be exempted from capture, for that private property is the food of our people. It is true that cargoes are pure merchandise; but it is equally true that the merchandise is necessary for the food of the people, and—I venture to say—if stopped, would cause a famine of such a character that no Government could carry on the war which was the cause of it.

There is one more point, and that is the Colonies. Our Colonial shipping, which is very important, would be subject to capture. Now, I have no doubt of the attachment of the Colonies to us; but it would be a rude strain upon that attachment to be involved in war—into which we had entered without consulting them—about which they are only remotely interested. Self-interest would pull one way, and attachment to the old flag another. I would urge this most seriously upon the House, that the present rule is fraught with great danger to our Colonial Empire.

Sir GEORGE BOWYER observed that this debate appeared to have assumed somewhat of an academical character, a result that naturally followed from the vagueness of the Motion, which did not raise any distinct issue for determination by the House. The question under discussion was a legal one which required to be carefully analyzed, and with all due deference to the hon. Members who had addressed the House upon the subject, and especially to the hon. and learned Member for Oxford (Sir William Harcourt), it appeared to him that they had confused together things which had no possible relation to each other. He proposed to analyze the subject as briefly as possible. Two questions arose in considering this matter—the first relating to the freedom from capture in time of war of all private property at sea belonging to an enemy, and the second relating to the freedom from capture of belligerent property in neutral ships. It was perfectly true that the practice as to the capture of private property on land in time of war differed from that of private property at sea. Private property on land was not captured, and the hon. and learned Member for Oxford was wrong in stating that the making of requisitions by an army in occupation of an enemy's country was the same in principle as the capture of private property. The two matters rested upon totally different principles. An army in occupation of an enemy's country stood in the place of the Sovereign, and it exercised sovereign rights, including the levying of taxes and the making of requisitions, which were altogether different from that of capturing private property on land. But if private property on land was exempt from capture, why was it that private property at sea should be liable to capture? The answer was a very simple one. War in itself was a calamity, and it brought grievances and lamentable consequences upon the peoples engaged in it, which led them to bring them to an end as speedily as possible. If private property at sea were exempt from capture, belligerents would not find themselves distressed by the stoppage of trade, and the want of the means of subsistence, and of luxuries, and wars would in many cases become chronic. An historian had told us that peace was concluded between this country and France because our people had got tired of drinking port and sherry and wanted to drink claret, which was unobtainable during the war. At any rate, the want of means of subsistence brought about by a war was a strong incentive to peace. This was a sufficient justification of the practice now in force that rendered private property of an enemy liable to capture in time of war. He maintained that the right of blockade and the right of capturing contraband of war were perfectly distinct from the question now in debate. We were the greatest commercial maritime Power in the world, and it was our interest rather to enlarge than to restrict the rights of neutrals with regard to commerce. He trusted that we should not be belligerents for a great many years. For some time past it had been supposed that there was a danger of our becoming belligerents; but Her Majesty's Government had very wisely kept out of that danger. He trusted that, whatever grounds there had been for supposing this country would be involved in a great war, they existed no longer. He thought the policy of this country would render it probable that, whatever complications might arise on the Continent, this country would steer clear of them. There were many reasons of prudence why, being a small country, we should not mix ourselves up in wars which were carried on by millions of men. Supposing, then, that we were neutrals, and the Declaration of Paris was in our favour, the broader the rights of neutral commerce were the better for us. Supposing, however, we were belligerents, no doubt our rights would be to some extent restricted, because we could not capture the goods of the enemy on board the ships of neutrals. It was said that our enemy would immediately transfer all his trade to neutral bottoms. But it was not an easy thing for a country to give up all its trade and to trust entirely to neutral carriers. Practically, this would not be done, and whatever Power we might be at war with, we should find there were plenty of its ships to capture if we thought proper to do so. Besides, if the enemy were to resort to neutral bottoms to carry his trade, we might do the same thing. We were the greatest naval Power in the world, and there was no reason to doubt that we should not remain so. He felt confident that if we went to war with any country, our naval power would be sufficient to protect our trade better than our enemy could protect his. He had made these remarks with a view to consider the question legally and in a dry manner, and he believed he had made good the position he undertook to establish. His opinion was that there was no sufficient reason for altering the Declaration of Paris, and therefore he should vote with the Government on this subject.

MR. W. CARTWRIGHT said, that the hon. and learned Member for Wexford (Sir George Bowyer) had, in discussing this question, said that it partook of a somewhat academical character; but he would address himself strictly to the question of policy involved in the Motion before the House. The greatness of the country rested absolutely on its maritime enterprize and position; and any act calculated to strike at the maritime elements of this country would have to be deprecated as an act hostile to the natural interests of the British Empire. The question was whether the Declaration of Paris was an act that did strike at the interests of this country. There was no doubt that much popular misconception existed as to the character of the Declaration of Paris. By it this country certainly renounced practices to which she had had recourse repeatedly, and particularly during the tremendous conflict with the first Napoleon. But it was not correct to say that in this Declaration English Ministers, for the first time, had renounced certain maxims that had been the immemorial maxims of this country, which it had steadily and inflexibly maintained under all conditions in its foreign relations. He had listened to the speeches of the hon. and learned Member for Oxford (Sir William Harcourt) and the hon. and learned Member for Wexford, and it might be thought dangerous for one like himself, who was not a lawyer, to say anything of the dicta of international writers. He did not, however, think the principles laid down by the hon. and learned Gentleman the Member for Oxford—however much they might be supported by grave legal authorities—were to be taken as rules for policy. In his opinion, the rulings of jurists proved merely facts of law—that at such a time such particular things were sanctioned by the existing code, but had no value whatsoever in relation to points of policy. Now, no one could dream for a moment to assert that the practices condemned by the Paris Declaration were not sanctioned by jurists of high repute, and had not been enforced by this country very freely. But it would be a serious misstatement of facts to allege that those practices had been the invariable usage of this country at every period prior to 1856. The general impression, however, was that the Declaration of Paris was an act of apostacy from the old law and rule of the country, and that it established for this country a new regulation for which there was no precedent in its history. He (Mr. Cartwright) denied that this was the case. The hon. and learned Member for Dewsbury (Mr. Serjeant Simon) had referred to the Treaty concluded with the Dutch by Sir William Temple, in which the principle of "free ships making free goods" had been embodied; but he said that this Treaty had been at once repudiated on the next outbreak of war, and he left the House to infer that this had been a solitary renunciation of the right to capture enemies' goods in neutral ships on the part of this country, and that the renunciation had thus been again finally revoked on the first occasion of war. He admitted that the Treaty in question had been abrogated, and the stipulation in regard to the immunity of neutrals had been set aside. But the hon. and learned Member for Dewsbury had entirely omitted to state that the same stipulation had been embodied in various other and some highly important international instruments made by this country. Oliver Cromwell, who was not a ruler disposed lightly to waive any point of right, had conceded the same conditions in favour of neutrals to Portugal by a Treaty concluded in 1654. What was, however, still more to the point, was the fact that this condition was contained, also, in various Treaties made by this country with France—the earliest being in 1677 — and that it was especially embodied in the Treaty of Utrecht, which closed a long war with that country. By the 17th Article, the principle of free ships making free goods was expressly sanctioned between the two countries; and, what was of capital importance, was the fact that when in 1786 Mr. Pitt concluded his Treaty of Commerce with France, he inserted in its 20th Article, word for word, the clause of the Utrecht Treaty that embodied that principle. The Treaty of 1786 was devised by Mr. Pitt himself, and was intended by him to open a new era of commercial freedom. This instrument was subjected to the keen criticism of an Opposition which, in this House, had Fox and Sheridan in its ranks; every clause was disputed, and every Form of the House resorted to, in order to prohibit debate and defeat the measure; ingenuity racked its brain in order to challenge the conditions of the Treaty, and some of the hostile pleas were positively puerile; but no objection whatever was taken in either House against the stipulation that free ships should make free goods, except by two Members, and then quite incidentally. In the House of Lords, Lord Lansdowne, in the course of an elaborate speech, glanced at the stipulation regarding neutrals; but in no manner did he lay any stress on the point as one of importance. Now, this proved conclusively that at that time the feeling of the country was not keenly enlisted in the assertion of the principle advocated by those adverse to the Paris Declaration. The truth was, that it was consequent on the exasperation begotten out of the long and deadly Napoleonic struggle that practices came to be adopted that caused more liberal principles to be wholly lost sight of. The feeling that came to be predominant in the course of this internecine conflict impelled this country to lay hold of everything as a possible weapon with which to deal a blow, and so both parties came to be animated with furious passions. The unreasonable decrees of Milan and Berlin were replied to by the Orders in Council, and so it came about that extreme proceedings were had recourse to as founded on right; and, notably, it was held as essential to maritime warfare to seize an enemy's goods wherever they might be found. But that the principle of "free ships, free goods" would not have been lost sight of by this country but for the heat and passion engendered within the circle of this Napoleonic contest, is shown by the fact that it survived in international instruments with countries outside the sphere of this conflict. The stipulation originally conceded by Cromwell to Portugal was confirmed in two subsequent Treaties, and remained in force down to 1809. The same happened with Spain. The principle "free ships, free goods" had been conceded to that country in 1655, and was renewed in every Treaty made down to 1796; and, what is more, in the opinion of eminent jurists, it was again confirmed in the terms of the Treaty of Madrid of 1816—so that, in the opinion of Lord Clarendon, if Russia had, before the Paris Declaration, during the Crimean War, put her goods in Spanish bottoms, they would have escaped capture by our vessels. But the real question was—what was the condition in which we were left by the Declaration of Paris? Was it a complete instrument, or an incomplete one? And, if the latter, was it an instrument in regard to which it was desirable, or even possible, to go back, or necessary to go forward? He ventured to affirm that there was not a single Member of that House, however vehement he might be in denouncing at present the Paris Declaration, who would dare, if in a responsible position, to come down with a distinct proposition to recede from its stipulations. To go back to the state of things that existed before the Declaration at the present hour of day was a sheer impossibility;

because to attempt that would simply be to bring them into collision with facts which no practical politician could venture to ignore. The Paris Declaration was merely the public recognition of facts; and that recognition, as regarded belligerent rights, had been going on for some time. It was not many years since this country claimed, and sought to enforce, a most stringent right of search. It was not many years ago, again, that this country claimed, and did enforce, to the point of war, the right of impressing British sailors wherever found. But both claims had been modified, and at last had been quietly abandoned, in deference to the fact that the feeling of other nations would not allow of their being admitted, as was the case in bygone times. Those rights had been dropped now many years, and it would be impossible to resuscitate them. Precisely the same causes were at work in bringing about the changes recorded by the Paris Declaration. It merely registered modifications that were the unavoidable consequences of an altered condition of society. The circumstances under which war would now be carried on had materially altered of late years; and if we were to exercise the maritime rights barred by the Declaration of Paris, we should not be able to bring, through that exercise, that degree of pressure to bear upon belligerents which formerly resulted therefrom; because commerce and trade, which would formerly have been dependent for transport mainly on the highways of the sea, and would have been suppressed by our naval armaments, now would escape seizure by being carried overland by means of the network of railways which existed throughout the world. Had we, then, arrived by this Declaration at a settlement which put our commerce in a position of safety in time of war? His hon. and learned Friend the Member for Oxford had stated that the principles and rules laid down by the Declaration of Paris simply affected neutrals, that they conferred an advantage upon neutrals, but in no way benefited belligerents. There might be some technical legal foundation for that statement; but, as far as policy and practice went, the rules of the Declaration affected belligerents quite as much as they did neutrals, because they afforded to a belligerent protection for a certain portion of his commerce and trade, but only for a certain portion; and his contention was that the Declaration of Paris was imperfect from the fact that the protection which it afforded was merely partial. The protection which was afforded by the Paris Declaration practically covered all trade except the shipping trade. If war were declared to-morrow, the industry of the country might securely protect itself by putting its produce under neutral flags, with the single exception of that important branch of our industry which was connected with shipping. The mercantile shipping was the corner-stone of the greatness of this country. In the event of a declaration of war, our mercantile shipping must, therefore, cease to exist, except so far as it could put itself under the protection of foreign neutral flags. But it was notorious that to transfer shipping to another flag was a process of great difficulty, and that in regard to some countries—especially the United States—the law actually rendered that almost impossible. Therefore, as the Declaration now stood, that capital branch of our industry—the shipping interest—was under positive disadvantage to secure protection in time of war, and was exposed to risks from which all other trading interests were guarded. That was the reason why he subscribed to the Motion of his hon. Friend the Member for Maidstone, who, for the allegations which he had made in his speech, had the authority of various bodies in this country, who spoke with great weight on the subject. In 1860, a Memorial was presented to the Board of Trade from the Liverpool Chamber of Commerce, in which it was very clearly set forth that the Declaration of Paris protected only a certain portion of our industry, and exposed our shipping to grave peril in time of war; while a Committee of that House, which sat about the same time to inquire into the state of our shipping, drew up a most elaborate Report, one chapter of which dealt expressly with belligerent rights. The Committee, which was composed of highly competent Gentlemen—the sole survivor of whom in the House was the hon. Member for West Norfolk (Mr. Bentinck)—unanimously reported their

> "hope that the time had come when all private property not contraband of war would be exempt from capture at sea."

He did not believe there was any hon. Member who would venture to say that we must undo that which was done by the Declaration of Paris, and that we should go back to those extreme rights, which could only be found in the lumber-room of ancient history. The Declaration, though an imperfect instrument, was in harmony with the requirements of the age; and he felt convinced that these requirements demanded, as a matter of policy, that it should not be left in its present incomplete form, but should be carried further in the direction pointed to by the hon. Member for Maidstone.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, that in the course of the debate the Declaration of Paris seemed to have been the object of attack. On the one hand, it had been described as too favourable to the belligerents; and on the other, as not half favourable enough; but he hoped to be able to show that the Declaration was both right and wise. In any case, he was sure that if we were to repudiate any of the doctrines it laid down, we ought not to wait till we were involved in war, and till it became our interest to repudiate them. We had signed it, and it had been the solemn act of the Ministers of the time, from which we ought not to depart except in time of peace. He contended that the Declaration embodied wise and politic views, which ought to meet with the approval of the House, and that it went just far enough, and not too far. The hon. Member for the Elgin Burghs (Mr. Grant Duff) had said that he felt some trepidation in combating the views of the hon. and learned Member for Oxford (Sir William Harcourt), and he was not surprised at that; for, though he seldom happened to agree with the hon. and learned Member, he had hardly ever listened to a speech more temperate and moderate, more reasonable or better reasoned, than the speech of the hon. and learned Member. He quite agreed with the hon. Member for the Elgin Burghs, that if this country chose to pledge itself that the merchant vessels of the enemy should not be liable to capture, there would be no difficulty in adopting such a course. No doubt, if England were to say that in time of war maritime capture would not be resorted to, such a declaration would be binding, and would not be rendered void by any hostilities; for neither England nor any civilized country could afford to disregard such an engagement; but the point was whether it was expedient that such an engagement should be made, and that was a question which, in his judgment, international lawyers were not peculiarly competent to decide, and which depended upon policy, and came with the scope of the Houses of Parliament. He would ask the House to consider for a moment what the Declaration of Paris involved. It dealt with four subjects, and was a solemn record that the high contracting parties had come to an unanimous opinion upon four points—first, that privateering should be abolished; secondly, that a free flag should cover free goods—that is, that goods in neutral bottoms should not be subject to seizure; thirdly, that neutral goods in an enemy's vessel should not be liable to capture or confiscation; fourthly, that blockades should not be merely paper blockades, depending on a simple declaration, but that they should be really effective. Those were the four subjects dealt with by the Declaration of Paris; and it had, in fact, altered the existing international law upon no more than two points. It could not be questioned that privateering was lawful prior to that Declaration, and that enemy's goods in neutral bottoms were liable to seizure. Indeed, at that time some countries went further, and said that not only were such goods of enemies liable to seizure, but also the vessels in which they were carried. That was the doctrine of France; but it was not recognized either by this country or by America and several others of the highly civilized nations, who had held the doctrine that the goods of a belligerent in neutral vessels were liable to be seized, but the vessels themselves were free. As for the other two points with which the Declaration dealt, the principles involved, both as regarded neutral goods in enemy's vessels and the efficiency of blockades, had been well recognized before the Declaration was made. The Declaration of Paris with respect to them was simply declaratory law. Consequently, when the question came to be thrashed out and considered in all its bearings, it resolved itself into this—whether it was expedient to abolish privateering, and to declare that the goods of belligerents in neutral bottoms should be exempt from capture. Those were really the two questions which had to be considered. There remained the very grave question whether the Declaration of Paris went far enough in one direction or did not go too far in another? Let the House consider the question of privateering. Had anybody in that debate ventured to approve the old system of privateering, or advanced any argument to show that it was wrong at the time of the Declaration of Paris to abolish it? Of course, the Declaration only bound the Powers who were originally parties to it, or who had subsequently acceded to it; but he thought it would hardly be contended seriously that it would be politic to resort in future to a system of privateering. What was privateering? Why, nothing more nor less than licensed piracy? And, surely, what they all desired was that if, unfortunately, there must be war, it should be conducted on something like humane principles. It was, therefore, surely wise in those who came to the conclusion that the principles of the Declaration of Paris should be adopted to say that for the future they would not resort to privateering; that, if they carried on naval warfare, it should be carried on by ships of war regularly commissioned by the Government, and not by vessels bearing letters of marque which were simply authorized pirates. They could have no control over any of the actions of a man whose vessel was licensed to roam over the seas and prey on the commerce of the enemy, and why, then, should they sanction such a mode of warfare? He next came to the question whether the Declaration of Paris with regard to goods being free when carried in a neutral bottom could in the least be complained of? Some persons thought that belligerents ought to be at liberty to seize enemy's property when carried in neutral vessels, and that great advantage might accrue from the exercise of that right. On that point, let them consider first and foremost the interests of this country. Much had been said about the general interests of mankind; but he ventured to assert that the general interests of mankind were to a great extent bound up with the interests of this country, and that if England ceased to be powerful, and was crippled or paralyzed in her action, the interests of mankind in general would suffer. The question then arose whether, on the whole, if they declared that enemy's goods in neutral bottoms might be seized, any advantage would be secured to England? When a war was waged between two Powers, and the neutral was liable to have his vessels stopped and searched, and any enemy's goods in them taken and confiscated, a great evil was inflicted on the neutral so concerned; and when they considered the position of England at the time of the Declaration of Paris, they ought to ask themselves whether she would probably be more frequently at war or be more frequently neutral? If it was the normal condition of things that England should be engaged as a belligerent, it might be said that it would be a disadvantage to her to be deprived of that right. But they must consider that, as a general rule, England would not be at war, but would be a neutral power, and she would naturally desire that her carrying trade should not be unduly interfered with. Under the old rule, the mercantile marine of neutrals was greatly harassed; and what was done at the time of the Declaration of Paris by the advisers of this country was that they said those great Powers with whom they were making that contract probably would be more often at war than we should, and that if we subscribed to the Declaration, then in all cases where England happened to be a neutral—and she would most frequently be so—the adoption of that Declaration would be of great benefit to her. If she were a belligerent, no doubt the old rule might be of some advantage to her in enabling her to take enemy's goods from neutral vessels, and carry the matter into the prize courts; but they had to consider what would be the balance of advantage and disadvantage in the long run; and the conclusion come to at the Declaration of Paris was that it would be most to our interest that our carrying trade should not be interfered with, and, further, that we should not produce the enmity which was formerly produced against us by our attempts to enforce the old rule. Therefore, he held that it was wise and right that the other great Powers and this country should have yielded somewhat of the rights which they possessed under international law independently of that Declaration, and should have been willing for the future to agree that goods carried in neutral vessels should be covered by the flag of the neutral, and should not be liable to seizure and confiscation. Then came the question, would it be well to extend the Declaration of Paris further than it had been extended, and to say that not only should goods carried by neutrals be free from seizure, but ought we not to exempt all private property at sea from liability to seizure? That was to say, ought they to adopt the views enunciated by the hon. Member for Maidstone, and declare that, in case of war being waged between this country and any other Power, the commerce of the belligerent who was at war with us should be entirely free? That was a very serious question, and there was no doubt a great deal to be said on the one side and on the other. The House would agree with him that whether that should be done or not was a question of policy. If the hon. Gentleman could show that that could be done without detriment to this country, then he would establish his proposition; because he would then show that war might be conducted more humanely than it was at present. The whole question was, could he do so? Now, what was his proposition? The hon. Gentleman laid down that, if we were at war with another country, we should not interfere with its mercantile marine—should not, in fact, interfere with the private interests of the individuals of the belligerent country. The hon. Gentleman's reasoning would drive him to this conclusion, that we should not resort to the right of blockade. Although the hon. Gentleman did not positively say so, he (the Attorney General) thought the hon. Gentleman was driven to the conclusion that we should not interfere with contraband of war. Several hon. Members had contended that by surrendering our rights in this respect we should be doing not only that which was right and proper in the sense of humanity, but that which would be an advantage to this country. But was that so? We were, happily, owing to our insular position, pretty free from all liability to be blockaded by other Powers or to be invaded. Owing to our ideas with respect to liberty, we were not in a position to place great armies in the field. He hoped that, if any occasion should arise, we should be able to place such armies in the field as would conquer our enemies. But, undoubtedly, we were not in a position to place in the field such armies as those which could be placed in the field by great Continental military Powers. Therefore, the great advantage which we possessed was our naval supremacy. It was our naval supremacy that was to insure us safety from attack and to insure to us success in any war which we might undertake. We had a Navy which was, perhaps, superior to any other Navy in the world. Hon. Gentlemen opposite were satisfied that our Navy was equal, if not superior, to the combined Navies of the world. Then, surely this great naval power gave us an enormous advantage, and were we to throw away the whole of the advantages which it conferred upon us? The question was, whether we could yield up those rights which we were entitled to exercise if we were at war with another country without crippling this country? At present we could undoubtedly sweep from the seas the mercantile commerce of any nation with which we might be engaged. Now, surely, that was a great advantage, because the sweeping the seas of the mercantile marine of our opponents would produce distress to our opponents, which it would be difficult for the opponent to combat, and which would lead the people of the country with which we might be engaged in warfare to desire a speedy termination of hostilities. The amount of loss, distress, annoyance, and injury which this country could cause to any Power with which it might be at warfare, through the exercise of naval rights, would be something enormous, and might speedily bring a war to a termination. But, further than that, there was the question of blockade. He knew it was said that blockades were not now so efficient a weapon against our opponents as they formerly were, and he was free to confess that there was much force in that argument. Science had done a great deal to injure this country in the time of war. That could not be helped. Railways had injured us, and torpedoes had lessened the value of our sailors. Nevertheless, blockade had not ceased to be an efficient weapon which we could wield in time of warfare, and there was no better weapon to which England could resort for the purpose of destroying her enemies than this instrument of blockade. With regard to contraband of war, he knew the hon. Member for Maidstone had disclaimed any intention of giving immunity to contraband of war; but if they adopted the principle on which the hon. Member relied, how could they avoid coming to the conclusion that contraband of war should not be subject to capture? The principle which the hon. Gentleman initiated was this, that all private property in case of war should be exempt from any attack. If a firm sent out from this country or any other country in time of war a cargo of rifles, it would be of great advantage to one of the belligerents to prevent those rifles reaching their destination; but they might be as much private property as a cargo of sugar. Could they, therefore, admit the principle laid down with safety to this country? It seemed to him that it would grievously cripple the country. It was said that it would be chivalrous to give up the advantage we possessed, and that it would be humane. No doubt it would be both; but when we embarked in war we had nothing to do with chilvary and humanity. One read in books of the Middle Ages that knights were always chivalrous, that a knight armed *cap-à-pié*, when he met another knight, fought with him. It was a natural thing to do, because they were always at war with each other. Accordingly, in old stories, we read that when the first knight met the second, if the second had lost his helmet, or his shield, or his armour, the first knight acted chivalrous, and immediately said to his opponent—"You have lost your helmet, your shield, your breastplate; it is not fair that you should be deprived of these advantages, and so I will deprive myself of my shield, my helmet, and my breastplate, and I will immediately engage with you." And he did, and probably he was killed in the encounter. That, in effect, was just what England was asked to do. Were we, for the sake of chivalry, to forego all the advantages we had in case of war, and to rely simply on our pluck and valour? England's great defence, her greatest reliance, was her Navy; and she was asked to get rid of the great advantage that gave her, and say to the other Powers—"We will forego the right of harassing your mercantile marine; we will not distress your commerce, so as to drive your people to protest against the war you are unjustly waging against us; we will strip ourselves of all our advantages, and say, now attack us if you will, and conquer us if you can." He was not prepared to go to that extent. If the great adversaries with whom we might be engaged were to act upon a system of reciprocity, if they would say—"We will reduce our armies to the strength of yours," well and good. But then they would do no such thing. They would say—"We will keep all our advantages, our conscription, our 200,000, 400,000, or 600,000 men, as the case might be, and you with your small army will fight us. You will have the kindness to relinquish all the rights you have, all the possibilities of waging a successful maritime war against us; but we will forego none of our superiority." That might be a very noble idea, but it was not one which, if acted on, was likely to end in any advantage to this country. If that idea was carried out, he saw nothing but ruin before us. We had got one great advantage—for Heaven's sake let us stick to it! A good deal of sound, cogent argument had been brought to bear upon the matter; but he had failed to be convinced that we should gain any advantage from adopting the course which had been suggested, either with respect to ceasing to exercise our right to clear the seas of the mercantile marine of our opponents, of relinquishing our right to blockade the ports of our opponents, or of foregoing our right to seize the contraband of war that was destined for the service of the Power that might be engaged against us. Instead of gaining advantage, we should suffer the greatest possible detriment, and our position would be one of great jeopardy. To use a homely phrase, we should be fools if we relinquished these advantages on any grounds of chivalry or nobleness. The great statesmen who were concerned in the Declaration of Paris came to the conclusion that it would be no disadvantage to allow letters of marque and privateering, and he thought they were right. If it were agreed that these goods should be free when carried by merchant vessels, that would be an advantage to this country; because, as a general rule, this country would be neutral. He submitted that the Declaration of Paris was wise, and that the ideas of those who would extend its doctrines in favour of freeing all private property from liability to seizure or confiscation were wrong; and he also submitted that those who went in the opposite direction, and contended that we should resort to the old rule, which sanctioned privateering and rendered goods carried in neutral vessels liable to confiscation, were equally wrong. For these reasons, he could not agree to the Motion.

Mr. COURTNEY said, that the hon. and learned Gentleman the Attorney General had based his defence of the Declaration of Paris, as he stated, on the lowest ground—namely, that as we were more likely to be neutrals than belligerents, and neutrals for a longer period, our gain would be in proportion. But if this was a question of proportion, if it was an arithmetical comparison of gain and loss, why, if the principle was right with respect to the Declaration of Paris, should it not also be right with respect to the proposal of his hon. Friend? Our ships of commerce were greatly in excess of those of any possible enemy, and our gain would be in proportion if private property were exempt from capture. Another argument in favour of the proposal was that we, of all nations in the world, had most to gain by free commerce. We had adopted free trade, our lives were bound up with it; we could not maintain the population we had in this country unless we could obtain supplies from other countries. There was, he believed, only one speaker—the hon. Member for West Cumberland (Mr. Percy Wyndham)—who regretted the Declaration of Paris, as he held that if we were to be embroiled in war that Declaration would operate altogether in favour of Russia and against us. Now, it was very strange that, although the Declaration of Paris followed the Crimean War, the principles of the Declaration were observed throughout the Crimean War; and if we did not find the principles of that Declaration so entirely crippling us during the Crimean War, why should we conclude that for the future we should be so crippled by maintaining them? The most formidable opponent of the proposition of the hon. Member for Maidstone (Sir John Lubbock) was the hon. and learned Member for Oxford (Sir William Harcourt). But he was sure that that hon. and learned Gentleman would be able to find as good arguments on a future day in favour of the new proposition as he had found to-day in favour of the old. The hon. and learned Gentleman had said that the proposition did not go in the direction of the Declaration of Paris, which was a concession to neutrals; while this was an offer of immunity to belligerents. That might be perfectly true, but it hardly disposed of the proposal. When we communicated the Declaration of Paris to the other Powers which were not signataries to the Treaty and invited them to accede to it, there was one Power—the United States—which refused unless the proposal of his hon. Friend were added. Now, if there was any country interested in the rights of neutrals, and which sought to preserve the commerce of neutrals untouched, it was the United States. Their whole foreign policy was to have nothing to do with foreign complications. Why did the United States refuse to accede to the Declaration of Paris unless this proposal were added? Because it was a proposal which carried on a long series of alterations, from the Middle Ages downwards, in the direction of making war a matter of organized armies and fleets, to be separated from the civil and the mercantile life. In the early ages the character of war was of the most barbarous description. In spite of what the hon. and learned Member for Oxford had said, we did not now, in military operations, attack the property of private citizens. Even in the matter of requisitions, that was strictly an expropriation by the invading army of the property of private citizens; but a title was given them in exchange which might be liquidated hereafter. That, in itself, showed that the property of private citizens was not taken away, because a title to compensation was given to them. The question was, should we carry the same principle into operation at sea? The hon. and learned Member for Oxford said they could not suppose, if two Powers were at war, that the one would allow contraband to be carried in the ships of the other without seizing it. That argument had also been used by the Attorney General, who quoted the Declaration of Paris; but he made an important omission, for contraband of war was specially excepted. It was still liable to seizure. That was his answer to his hon. and learned Friend the Member for Oxford. Although free ships made free goods, the immunity thus given did not extend to contraband; and if the merchant ships of an enemy were exempted from liability to capture, there would still be an exception if contraband was carried in them. His hon. and learned Friend asked what was to be done with the mercantile ship which, with the big guns in her hold, might be speedily converted into a most formidable ship of war? Why, the ship in that case would be condemned. It would be carrying contraband. But it would be a prime care on the part of owners of ships that their mercantile character should be so stamped upon them that they could not be mistaken or open to suspicion. Then, it was said, they must give up blockade. His hon. and learned Friend said, see what blockade did in the Southern States of America; but for blockade they never would have given in. But the Southern States were absolutely exhausted in a military point of view, so that collapse could not be long delayed. They were told that the military spirit of the nation would be destroyed if this Motion were carried. He had no fear of such a result. It was absolutely contradicted by the temper of the nations around them. He should therefore give his vote with the utmost goodwill for the Motion of his hon. Friend the Member for Maidstone.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I should not have thought it necessary to take part in this debate but for one circumstance. I confess it appears to me, after the very able speeches which we have heard to-night, it is hardly necessary for anyone to enter at any great length into the arguments advanced; and I feel that the more because, in spite of the ability and ingenuity of the speeches we have heard to-night, I cannot but fancy there is a certain amount of unreality in the whole debate, and that it has hardly been so practical as could have been wished. I, however, find myself obliged reluctantly to trespass for a few minutes on the House on account of the personal appeal and challenge made to me earlier in the evening by the hon. Member for the Elgin Burghs (Mr. Grant Duff). The hon. Gentleman was good enough to remind me that in 1862 I took part in a debate on a similar Motion by the late Mr. Horsfall, and made a speech which, he said, converted him to the opinions which have been expressed by the hon. Member for Maidstone (Sir John Lubbock). I have referred to that speech, and I find there are a good many things in it which are very well put, if I may say so, and that I am not at all disposed to shrink from. Now, I will venture to read a passage from the beginning of that speech, and then another from near the end of it. On that occasion the Motion before the House was—

> "That the present state of International Maritime Law, as affecting the rights of Belligerents and Neutrals, is ill-defined and unsatisfactory, and calls for the early attention of Her Majesty's Government."

In speaking to it, I said I considered that the adoption of the Resolution would lead to very undesirable and embarrassing results, and I therefore earnestly hoped the hon. Member (Mr. Horsfall) would not press it to a division. And, towards the conclusion of the speech, I said that the Resolution as it stood was merely abstract, and I should hesitate to vote for such a Resolution—a merely vague Resolution which might be adopted by persons holding the most opposite views of the matter. Those were the ideas I had at the time, and practical experience of this debate has shown that they were not very wide of the mark. The Motion of the hon. Member for Maidstone, which is exceedingly vague and general, is to be supported by the hon. Member for Sunderland (Mr. Gourley), who advocates the exemption of private property from capture at sea in all cases, and by the hon. Member for West Cumberland (Mr. Percy Wyndham), whose view is that maritime law is unsatisfactory because we ought to get rid of the Declaration of Paris. When I find a Resolution is proposed in terms which enable Gentlemen of such divergent views to support it, I think I am justified in saying, as I said 16 years ago, that I do not consider it is one on which it is desirable we should be called upon to vote. At the same time, I am perfectly prepared to admit that there is force in the argument the hon. Member for the Elgin Burghs has put forward upon the subject of the inconvenience which, no doubt, we subject ourselves to by exercising the right to the capture of private property; but I do not think that is the only question to be considered. It is a matter of a very complicated character, and you have to weigh the advantages on one side against the disadvantages on the other. I quite admit that if it was merely a question which of two nations could reduce one another by the simple process of a commercial blockade, the embarrassment of a nation which had a small commerce preying upon the large commerce of England would be such that in many cases it would outweigh the advantages we should gain from our power to cripple an enemy by seizing his property. Again, I consider that there is great force in what I said 16 years ago, when I stated that in many cases it would be most disadvantageous if, in the event of our being engaged in serious hostilities, we were obliged to fritter away our naval force, that might be employed in important operations, for the purpose of preying upon enemy's goods in all parts of the world. While I say that, I must also say that in many other cases I think the exercise of that right would be one which might be of most essential service to this country, and we ought to think many times before we attempt to lay down a rule which would hamper us in the exercise of that right when it is desirable. Wars are not now conducted in a manner that the efforts of one Power to wear out another would result to the disadvantage of the Power that had the largest commerce. Wars are brought about in a much more speedy manner, and it might well happen that by a strict but short blockade at a proper point you might be able to bring your enemy to submission when you could not do so by other means. It must be borne in mind that we fight with different weapons from those employed by military States. As the hon. and learned Gentleman the Attorney General had said, in the age of chivalry, when a combatant had lost his helmet, his antagonist would throw away his helmet in order that they might fight on equal terms; but if it was the case of one having a long sword and a small gun and the other a short sword and a long gun, if one said—"Let us lay aside guns and fight with swords," they would not be equal at all. And that would be the case of a large naval and small military Power opposed to a Power which had a strong military but a weak naval element. If we were engaged in war, it might be that the only way we could strike with effect would be to exercise the full power of a naval belligerent, and it might be that that could be exercised only by the pressure you could put on your enemy by commercial blockade, and as incident to that to seize and capture private property. The hon. Member for the Elgin Burghs, in criticizing the speech which I delivered in 1862, reminded me of what he thought I then said favourable to a Motion like the present. I pointed out that in the course proposed by the then hon. Member for Liverpool, there were difficulties in relation to both blockade and contraband of war. We have had several questions raised by my hon. Friend as to what is a blockade and the object of a commercial blockade; and he said he thought they should be done away with, or that they should be minimized as far as possible. I think those are matters to which we ought not to give our assent lightly. They are matters of the most serious importance, whether we can afford to weaken the full strength of the country and cripple ourselves by weakening our right of blockade or giving up our right of seizure in times of war. It must be remembered when we talk of humanity, that there are rights of humanity which are possessed by our own country. If we were engaged in war, our duty to humanity would be to put forward our full strength in the most effective manner, so as to attain our object with the least possible delay and suffering, and it would be no true humanity to make a feeble and weak effort, and thereby, perhaps, prolong the miseries of the war. Now, I admit that there is a great deal to be said on this subject and to be considered; but we do not stand precisely in the same position in which we stood in 1862, and for this reason. In 1862 a few years only had elapsed since the adoption of the Declaration of Paris. The first effects of that Declaration had not then been perceived. It is natural, and it is well, that they should be pointed out, and that the great change effected by allowing a neutral flag to cover an enemy's goods should be pointed out, and the effect of throwing the commerce of the country in a time of war, when they were belligerents, into the hands of neutral Powers. It was natural that the communications with the American Government should have led to a discussion of this particular question of the exemption of private property; and the question being then comparatively new, it was desirable that time should be taken to consider and reflect upon it. But since that time the question has been before succeeding Governments and Parliaments, and more than once discussions have been held in this House. More than once, as I have reason to know, circumstances have arisen which have led to the Governments of the day considering the question so put forward. It was discussed in the various forms in which public questions in this country are discussed; we have had time to consider it, and many new lights have been thrown upon it, which did not exist at the time of former discussions. I think the hon. Member for Maidstone has now arrived at the point which others arrived at 16 years ago—that this was a question which deserved the attention and consideration of Her Majesty's Government. No doubt, as I have said, this is one of those questions which are continually arising in one form or another and demanding public attention; but it does not appear to the Government that it is a matter upon which there are such clear views in favour of a proposal like that submitted by the hon. Member for Sunderland as would justify them in attempting to make proposals to other Powers to give effect to the policy he suggests. What would be the position in which you would stand if you did? What would be the argument you would address to foreign Powers? If we are to start with the views expressed in this debate, we ought to go to the foreign Powers and say—"We are a nation depending mainly upon our naval strength. We think that it would increase our strength if you agree with us to abolish the right of capture of private property, and therefore we ask you, in the probable or possible contingency of our becoming your enemies, to adopt this principle, which we say is to give us increased strength." That is a rather difficult position for any country to take up. Before we could accept such a proposal as that, we should require to be sure of our ground; and after the discussion which has ensued, and seeing the very divergent views which have been expressed, I would venture to put it to the House whether this is a proposal which should command our attention.

MR. JOHN BRIGHT: Sir, I will not occupy more than four or five minutes. The right hon. Gentleman has referred to a speech he made in 1862. I am not about to charge him with any inconsistency, because I think there is no inconsistency in what he stated then and what he stated to-night; but I should like to read one passage from a speech made after the speech of the right hon. Gentleman on that occasion, and made by the then Solicitor General, the present Lord Selborne. This is what the hon. and learned Gentleman said—

> "My hon. Friend the Member for Stamford (Sir Stafford Northcote) made an able speech, strongly in favour, as I thought, of the proposal of the hon. Member for Liverpool; but, at the same time, he showed his sense of the difficulties attendant on the subject, when he stated that, notwithstanding all the arguments which he offered to the House, he not only was not able to bring his mind to vote in favour of the proposition, but he could not accept the proposition himself till he had mastered the difficulties and foreseen the consequences which it involved."—[3 *Hansard*, clxv. 1669.]

That is very much the view the right hon. Gentleman has addressed to the House to-night. Now, I will adduce one argument more. I will refer to a speech which I made in the same debate, and to a fact which I stated, and it shall be the only fact with which I shall trouble the House. I stated on that occasion that the tonnage of the United Kingdom, in and out, in the year 1814, reached 3,500,000 tons; and I stated further, that for the seven or eight years before the time I spoke, it had been upwards of 12,000,000 tons. I think the hon. Member for Maidstone to-night stated that the tonnage of the United Kingdom now amounts to 21,000,000 tons. The reason why I allude to that statement is this—that on the authority of a work which I saw on the Table of the Library of the House, in the two years of the war between this country and the United States—1812-14—the American privateers captured no fewer than 2,500 English ships of all sizes. Now, if our tonnage has increased six-fold during that time, and if the American States have increased their power ten-fold in that time or thereabouts, I should like to ask hon. Members what would be the number of English ships that would be captured in case of war between this country and the United States? That seems to me a matter well worthy of consideration.

I agree with the right hon. Gentleman that this is a question not only very interesting, but very serious. The interest was shown in the admirable explanation given by my hon. Friend the Member for Maidstone in his opening speech. We all feel that it is an interesting, and we all feel that it is a serious, question. I agree with the right hon. Gentleman with the view taken in 1862. I think the same view may be taken now—that it is not a desirable thing that the House should come to a hasty decision in a matter of this kind. It is not one of those matters which can be settled by a Parliamentary division on a particular night. It must be settled by the growth of public opinion. The object of this debate has been for the purpose of explaining this question, and to instruct the House and the public; and I think it is impossible for this debate to be read to-morrow by the country without informing the minds of men of the change of opinion that has taken place. We have all, no doubt, had a great amount of instruction upon this interesting topic. If we come to a division on this point, we do this mischief—we only pledge Members to one opinion or the other, which it may, before very long, be desirable that they should not be pledged to, as being unsound; and we put an obstacle against obtaining a wise and intelligent opinion, not only on the part of the House, but on the part of the public at large. I am myself satisfied with the debate. I think that the discussion on this subject has been very instructive, and also very interesting; but, at the same time, I think it would be advisable that it should be left as it was left in 1862, and that the hon. Member for Maidstone should withdraw his Motion, and be satisfied with the debate which has taken place. The Declaration of Paris is a question which has been discussed to-night, and I have been gratified to find that, with the exception of one hon. Gentleman, the hon. Member for West Cumberland, there has been no strong expression of opinion against that Declaration. The hon. and learned Gentleman the Attorney General spoke with positive enthusiasm in its favour. I hope he expresses the opinion of all the Members of the Government with which he is connected, and that henceforth we shall have no more discussion as to the propriety of receding from the Declaration of Paris. If we advance as far as this, and after reading the debate to-morrow, if it be a wise step to take, no doubt the people of this country and the Government will see that it is so. This is not a pressing question at all, because I do not suppose there is any probability of this country either now or at any early period going to war. Therefore, it may be matter for consideration when the time shall come—I hope it never will come—when the Government will be called upon absolutely and definitely to solve the question. If the hon. Member for Maidstone will permit me to ask him, I would request that he should, with the permission of the House, withdraw the Motion, and that the question should be left as it now is. I think it would be better for the public and better for the question that it should be withdrawn.

Mr. J. R. YORKE observed that, in the event of a division taking place, many hon. Gentlemen would be placed in a curious position; because a silent vote upon this question would be liable to be misinterpreted. They had been playing, to some extent, at cross purposes. The hon. Baronet the Member for Maidstone (Sir John Lubbock) asked them to say that the law with reference to maritime belligerent rights was unsatisfactory, and in that he agreed with the hon. Baronet. He could not, however, support the Motion after hearing the speech with which it was introduced. It appeared to him that in time of war—it might be for our national existence—every possible means of defence and offence which the country could command ought to be made available. He was one of those persons who were in favour of privateering. Privateers were the Volunteers of the Sea, and he thought that all the force of the country ought to be liable to be called upon to aid, if need were, in the defence of the country. He believed that a great deal of the discredit which attached to privateering was owing to a misapprehension as to the character of the *Alabama.* The *Alabama* never was a privateer—she was a pirate. A privateer sailed under letters of marque; she brought her prizes into port for adjudication by the Admiralty, but could not appropriate either ship or cargo without legal sanction; and, in fact, there was as much difference between a privateer and a pirate as there was between a poacher and a gamekeeper. The Americans had shown their good sense in this matter by declining to assent to the Declaration of Paris, and we ought to imitate them in reserving the opportunity of using the whole national power, whether collective or individual. With respect to the seizing of neutral vessels and private property on the high seas in time of war, he asked why was the shipowner to be placed in a position different to that which must be occupied by all his fellow-subjects? If the shipowner were protected he would drive a thriving trade, while the soldier and the sailor of the fleet would risk their lives in the war, and the taxpayer would have to pay heavily to supply the means of carrying it on. The operations of war affected every class in a community, and it was preposterous to say that civilization had protected people on land from its evil influences. When a conquering General entered a hostile country, he put all its resources under requisition for his own purposes; and he (Mr. J. R. Yorke) could therefore see no sufficient reason for extending to the shipowning classes a protection which landsmen did not enjoy. He entirely concurred in the words spoken some time ago by the Prime Minister, and quoted that evening by the hon. and learned Member for Oxford (Sir William Harcourt), that a course such as was proposed by the hon. Member for Maidstone "might make rich communities, but would certainly make weak Governments."

Question put, and *agreed to.*

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Original Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

ORDERS OF THE DAY.

—ooOoo—

FACTORIES AND WORKSHOPS BILL.

(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.*)

[BILL 126.] CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now taken into Consideration."—(*Mr. Assheton Cross.*)

LORD FREDERICK CAVENDISH moved, in page 34, after Clause 69, to insert the following clause:—

(Poor law medical officer shall act where there is no certifying surgeon within three miles.)

"Where there is no certifying surgeon resident within three miles of a factory or workshop, the poor law medical officer shall be for the time being the certifying surgeon under this Act for such factory or workshop."

Clause *added.*

MR. CHAMBERLAIN moved the adjournment of the debate, on the ground that several hon. Members who had Amendments on the Paper had absented themselves in the belief that the stage of Consideration would not be reached that evening.

Motion made, and Question proposed, "That the further proceeding on Consideration of the Bill, as amended, be adjourned."—(*Mr. Chamberlain.*)

Motion, by leave, *withdrawn.*

MR. ASSHETON CROSS moved, in Clause 6, page 3, line 9, after "arbitration," insert—

"And the arbitrators or their umpire shall give the decision within twenty-one days after the last of the arbitrators, or, in the case of the umpire, after the umpire is appointed, or within such further time as the occupier and inspector, by writing, allow; and if the decision is not so given the matter shall be referred to the arbitration of an umpire to be appointed by the judge of the county court within the jurisdiction of which the factory is situate."

Clause 9, page 4, line 32, after "motion," insert "by the aid of steam, water, or other mechanical power."

Clause 17, page 10, line 5, after "is," insert "then."

Clause 25, page 13, line 14, after "application," insert "not exceeding three pence and."

Amendments *agreed to.*

MR. GRAY moved, in Clause 29, page 14, line 25, after "workshop," insert—

"Requiring that the employment of such child or young person be discontinued from the period named therein not being less than one nor more than seven days after the service of such notice."

Page 14, line 26, leave out from "continue," to "of," in line 27, and insert "after the period named in."

Amendments *agreed to.*

Mr. ASSHETON CROSS moved, in Clause 31, page 15, line 35, after "if," insert "any."

Clause 32, page 16, line 12, after "accident," insert "and within the next twenty-four hours send to the inspector a report thereof."

Clause 37, page 18, line 8, leave out "the;" lines 8 and 9, leave out "of flax, hemp, jute, or tow."

Amendments *agreed to.*

Mr. ASSHETON CROSS moved, in Clause 48, page 23, line 5, at end, insert as separate paragraph—

"Where it is proved to the satisfaction of a Secretary of State that in any class of textile factories, either generally or when situate in any particular locality, the customary habits of the persons employed therein require the extension thereto of this exception, and that the manufacturing process carried on therein is of a healthy character, and the extension can be made without injury to the health of the children, young persons, and women affected thereby, he may by order made under this part of this Act extend this exception accordingly."

Clause 50, page 23, line 31, after "factory," insert "or workshop;" line 32, leave out "specifying," and insert "giving them if so specified;" line 33, leave out "hereinbefore," and insert "by this Act."

Clause 51, page 24, line 6, leave out from "as if," to end of clause, and insert—

"In the provisions thereof respecting Sunday, the word Saturday were substituted for Sunday, and in the provisions thereof respecting Saturday the word Sunday or, if the occupier so specify in the notice the word Friday, were substituted for Saturday."

Amendments *agreed to.*

Mr. W. M. TORRENS moved, in Clause 53, page 24, line 36, leave out "nine," and insert "eight."

Amendment *agreed to.*

Mr. ASSHETON CROSS moved, in Clause 67, page 32, line 28, leave out "contrary to the provisions of this Act."

Amendment *agreed to.*

Mr. HOPWOOD moved, in Clause 68, page 33, line 41, after "shall," insert "on an affidavit or statutory declaration of facts and reasons."

Amendment *agreed to.*

Amendment proposed, in page 33, line 41, to leave out the words "written authority so to do from a Secretary of State or."—(*Mr. Fielden.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Amendment, by leave, *withdrawn.*

Mr. HOPWOOD moved, in Clause 68, page 33, line 43, insert—

"The affidavit or statutory declaration above mentioned may be inspected or produced in evidence in all respects the same as an information on oath before a justice."

Amendment *agreed to.*

Mr. ASSHETON CROSS moved, in Clause 72, page 35, line 37, sub-section 3, after "fees," insert "on the completion of the examination, or if any certificates are granted."

Clause 80, page 38, line 34, before "bodily injury," insert "death or;" line 36, before "bodily injury," insert "death or."

Clause 91, page 45, line 34, after "workshops," insert "other than bakehouses;" line 36, after "but," insert "save as aforesaid;" line 36, leave out "other."

Amendments *agreed to.*

Mr. GRAY moved, in Clause 91, page 45, at end, add—

"The exercise by any child or young person in any school during a portion of the school hours of any manual labour for the purpose of instructing such child or young person in any art or handicraft, shall not be deemed to be an exercise of manual labour for the purpose of gain within the meaning of this Act."

Amendment *agreed to.*

Lord FREDERICK CAVENDISH moved, in Clause 103, page 50, line 18, after sub-section (4), insert the following sub-section :—

"The expression 'poor law medical officer' means the medical officer appointed by the parochial board."

Amendment *agreed to.*

Mr. GRAY moved, in Clause 104, page 51, line 37, after "school," add—

"Or any school recognised by the Lord Lieutenant and Privy Council as affording sufficient means of literary education for the purposes of this Act."

Amendment *agreed to.*

LORD FREDERICK CAVENDISH moved, in Clause 104, page 52, line 8, after sub-section (4), insert the following sub-section:—"The expression 'poor law medical officer' means the dispensary doctor."

Amendment *agreed to.*

MR. ASSHETON CROSS moved, in Clause 106, page 54, line 29, after "women," insert "during a period of employment;" line 31, leave out from "be," to "on," in line 33, and insert "deprived of the meal hours by this Act provided, nor be so employed;" line 39, at end, add "during the previous twelve months."

First Schedule, page 55, line 21, leave out "metal grinding," and insert "any dry grinding in the metal trade;" line 24, paragraph 5, after "in," insert "any grinding in the metal trades other than dry grinding, or in."

Third Schedule, page 59, line 21, leave out "and," and insert "or."

Amendments *agreed to.*

Bill to be read the third time upon *Monday* next.

ECCLESIASTICAL BUILDINGS (FIRE INSURANCE) BILL—[BILL 99.]

(*Mr. Leighton, Mr. Goldney, Mr. Whitwell.*)

SECOND READING.

Order for Second Reading read.

MR. LEIGHTON, in moving that the Bill be now read a second time, said, its object was to enable the church to become her own insurer against loss by fire through the agency of Queen Anne's Bounty Board. By an Act of 1871, every incumbent was bound to insure his buildings jointly in his own name and in that of the Governors of Queen Anne's Bounty, and all the money paid in the case of loss by fire passed through the hands of Queen Anne's Bounty Board, as agents. The present Bill proposed to lay upon the Governors of Queen Anne's Bounty the additional duty of themselves insuring all the buildings attached to benefices in England. The result would be greater economy and simplicity of management, and the profits would go into the pockets of the incumbents instead of the shareholders of the insurance offices. The premiums would be reduced from 1*s*. 6*d*. to 1*s*., and would be recoverable in the same way as tenths, and, being a debt upon the incumbent, there would never be any lapse of policies. Queen Anne's Bounty Board, a few weeks ago, passed a resolution approving the Bill, and were good enough to nominate a committee to consider the various clauses. Select Committees of both Houses had also approved it, and a similar Bill introduced into the House of Lords in 1872 passed, he believed, the third reading. The Lower House of Convocation had approved it. In addition to this expression of opinion, he had received more than 100 letters in favour of the Bill from rural Deans in all parts of England and Wales. Under these circumstances, it might be asked why the principle of the Bill, approved as it was in so many quarters, and by so many authorities, had not already found its way into the Statute Book? Well, he hardly liked to state the explanation which forced itself upon his mind. There was an active opposition to the Bill on the part of the private insurance companies, who, very naturally, objected to the bread being taken out of their mouths. He found that there were no fewer than 40 directors of insurance companies in that House. He did not, however, believe for a moment that these Gentlemen were actuated by any unworthy motives. Indeed, one of the hon. Members, whose name was on the back of the Bill, was director of an insurance office, and there were other insurance directors who would support the Bill. Still, the fact was as he had stated it. It was said by some who objected to the Bill—"Do you really mean to insist upon compelling all incumbents, whether they wish it or not, to insure in a particular office?" His answer to that was that the compulsion came from the Act of 1871, to which the present Bill was intended, in some sort, to be a relief Act. But there was no hardship in the compulsory clause if the clergy themselves desired it; and he could assure them that even the clergy did not resent an obligation which compelled them to pay 1*s*. instead of 1*s*. 6*d*. Others contended that it would be detracting from the dignity of Queen Anne's Bounty Board to make them an insurance company; but the Act of 1871 made them insurance agents for every incumbent. Again, it was said that the trust fund of Queen Anne's Bounty ought not to be used for other purposes than those for which it was originally intended; but this argument also fell to the ground, inasmuch as Acts of Parliament had been passed over and over again, authorizing the application of the money in the hands of the Governors of Queen Anne's Bounty to other than its original purposes. Moreover, the Governors were only enabled to lend the money in their hands on an absolutely safe security—namely, the security of the future premiums. Great companies—the Ecclesiastical Commissioners, the Wesleyans, and other large bodies—did not go to private insurance companies; they insured themselves. If the Church of England required an Act of Parliament to enable it to do this with Queen Anne's Bounty, it was because it was the Established Church of England. According to a Return of 1872, 10,000 glebe houses were insured for £10,000,000, at 1*s*. 6*d*. per £100. That produced an income of £7,500. During the whole time the Act had been in operation, there had only been an annual loss of £520; so that a profit of almost £7,000 had gone into the pockets of private insurance companies, instead of being kept, as it would have been under the scheme proposed by the Bill, for the benefit of the insurers themselves. He challenged the insurance offices to show any substantial error in these figures. In the whole diocese of Lichfield for the last 10 years there had not been a single fire in a single glebe house. The expenses under this Bill, it was calculated, would amount to no more than £450 a-year, and the advantages to be gained by it were that it would secure the rights of patrons, maintain the freehold buildings of the Church safe from loss by fire, afford mitigation of the harsh requirements of the Act of 1871 in regard to insurance, and effect a pecuniary saving to every single incumbent in England.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Leighton.*)

Mr. MONK said, he had seldom met with a Bill bristling with so many objectionable features as the one of which the second reading had just been moved. The hon. Member said the Governors of Queen Anne's Bounty approved the principle involved; but he (Mr. Monk) had reason to believe that there were considerable differences of opinion on the part of that body as to whether it was desirable that the Bill should pass or not. What the hon. Member proposed was to compel all clergymen who had insured, or who ought to have insured, their glebe houses and other buildings connected with their benefices in an insurance office, to insure with the Governors of Queen Anne's Bounty. Of course, it was not only desirable, but necessary that these buildings should be insured; but it had not been shown to his satisfaction that Queen Anne's Bounty Board should be converted into a gigantic insurance office. As the hon. Member had stated that there were 40 hon. Members of that House directors of insurance companies, he (Mr. Monk) might say for himself that he was in no way connected with any insurance office, that he had received no communication from any insurance office in regard to this Bill, and that his opposition to it arose simply from his desire to consider what was best for the interests of the Church. The title of the Bill was a complete misnomer. It was simply a measure to convert the Corporation of the Governors of Queen Anne's Bounty into a gigantic insurance company with unlimited liability. And what, he would ask, was the constitution of that ancient Board? It consisted of some 600 members, including all the Bishops, all the Judges, all the Privy Council, all Queen's Counsel, the Lord Mayor of London, and the Mayors of all the corporate towns in the country, as well as the Lords Lieutenant of the counties. The duty of the Corporation was to apply the first fruits and tenths, which were handed over to it by the Act of 1704, towards the augmentation of small livings. Its functions were very clearly defined by that Act; but it was open to doubt whether the constitution of the Board was a good one or not. Indeed, a Committee of that House which sat in 1868, and which was presided over by Mr. Bouverie, strongly recommended that the constitution of the Board should be altered, and that the number of Governors should be considerably reduced. But, be that as it might, was it not, he would ask, almost absurd to suppose that the Bishops and Archbishops could afford time to manage a great insurance office in addition to the episcopal duties which now weighed so heavily upon them? He understood the hon. Gentleman to say that those Prelates who formed the chief acting committee of the Board had stood sponsors to his Bill; but he was convinced that that could not be to any great extent the case. It was, no doubt, he might add, very desirable that the Clergy should have a mutual insurance fund; and, when notice was given of the Bill, he thought that was the object which it was intended to effect. Had it been so, there would have been no more cordial supporter of the measure than himself; but when he found it proposed to convert the Board into an insurance office with unlimited liability, then he felt bound to oppose the scheme. Let him suppose that in some one year a great many of the buildings in question were destroyed by fire, on what resources did the hon. Gentleman propose to rely for the payment of the amount of the insurances? Was that amount to come out of the fund which was already appropriated to the augmentation of small livings, or to be taken out of the pockets of the Archbishops, Bishops, and other members of the governing body? Those were questions to which he should be glad to have some answer. He also wished to point out that evidence had been given before the Committee, to which he had referred, to the effect that it would be desirable to amalgamate the Governors of Queen Anne's Bounty with the Ecclesiastical Commissioners for England. That being so, he failed to see the advantage of giving fresh life to the former Board by converting it into an insurance company. He should further like to know whether those right rev. Prelates whom it was proposed by the Bill to make directors of an insurance office were to become builders also under its operation? He put that question, because it would be seen that, according to Clause 7, whenever an ecclesiastical building was damaged or destroyed by fire, the Governors of Queen Anne's Bounty would have to pay the amount for which it was insured, unless they elected to replace the building or make good the damage. Again, who, he would ask, were to manage the new episcopal insurance office? Would any increase of staff be necessary? On these points the hon. Gentleman had given the House no information. While, therefore, he was willing to admit that it would be a great advantage to the Clergy that they only, out of all the members of the community, should be enabled to insure their houses at the rate of 1*s.* per cent instead of 1*s.* 6*d.*, there were, he thought, objections to the Bill so strong that he felt bound to oppose the second reading. He had been informed that a deputation had waited on the Government in connection with the subject, and that it had received a not unfavourable reply from the Chancellor of the Exchequer. But how, he should like to know, could the right hon. Gentleman support a Bill which was brought forward as the present was, without any evidence to show that Queen Anne's Bounty Board might with safety be converted into an insurance office? He could not sit down without referring to Clause 18, which would permit such an office if it were established to shut up shop whenever it pleased, and discontinue its business. If it suffered some great loss, upon whom was that loss ultimately to fall—the poor Clergy, who had insured their houses, or the Governors of the Charity? He begged, in conclusion, believing that the Bill was calculated to do a great injustice by interfering with funds which were now distributed in a manner greatly to the advantage of the Church, to move that it be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Monk.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. WHEELHOUSE, as a Governor of Queen Anne's Bounty, wished to enter his protest against that Corporation being diverted from operations to which its attention was legitimately directed, in order that it might become one of the most gigantic and exclusive insurance companies at present in existence. The Bill, he might add, was not promoted by the members of the Corporation, nor did they profess to become its sponsors in the slightest degree. It behoved the House, therefore, to scan its provisions with the greatest care. If the Governors of Queen Anne's Bounty desired to become an immense insurance association, by all means let them do so; but let not a step, taken at the instance of a private Member, which, so far as he could make out, had received from them no recognition, be sanctioned by the House of Commons. The Bill, moreover, not only proposed to convert the Corporation into a great insurance office, but into a building society without any limit whatever. Surely these were not functions the discharge of which could properly be undertaken by the trustees of a fund which was specially intended to be devoted to the augmentation of small livings? Besides, who could tell whether the Corporation would continue to exist any considerable length of time. Under these circumstances, he felt called upon emphatically to endorse the views which had been expressed with respect to the Bill by the hon. Member for Gloucester (Mr. Monk). He hoped sincerely the House would hear no more of it after that evening.

Mr. RODWELL said, he would not have taken part in the discussion had not strong representations been made to him by several ecclesiastical authorities in the county which he had the honour to represent in favour of the Bill, in which they took a great interest. The hon. Member for Gloucester (Mr. Monk), as well as his hon. and learned Friend who had just sat down, had, he thought, wandered very much from the real point at issue. Their main objection to the proposed scheme seemed to be that under its operation the funds of Queen Anne's Bounty were likely to be pledged to something in the shape of unlimited liability. Now, the answer to that objection was, that the Governors of Queen Anne's Bounty were parties to the Bill. It was a measure which could scarcely be brought forward without their sanction, and he presumed, indeed, that it was introduced to the notice of the House at their suggestion. His hon. and learned Friend, who said he was a Governor of the Bounty—and who, he supposed, held that position on much the same title as he did himself—would, he was sure, hardly seriously tell the House that he had any authority to speak on behalf of the Corporation; so the House would, he hoped, not attach much weight to what had fallen from his hon. and learned Friend in his ornamental capacity as Governor. The hon. Member for Gloucester complained that the Bill would compel the Clergy to insure against their will; but they were now by law bound to secure Church property against fire, to the satisfaction of the Governors of Queen Anne's Bounty. A considerable saving would be effected, he might add, if the scheme now proposed were sanctioned by Parliament, and a very great amount of trouble and vexation spared to incumbents in connection with those insurances. At present they were obliged every year to produce the receipts given for the premiums which they had paid, as well as to answer certain questions twice a-year at the period of visitation. All the inconvenience and annoyance to which they were thus subjected would, however, be removed if the Queen Anne's Bounty Corporation were to take the whole matter into their own hands. The Governors of that Corporation were the special guardians of ecclesiastical benefices; and, looking at the advantages of the proposed scheme as a sort of domestic arrangement between them and the Clergy, some much stronger arguments than he had heard that evening must, he thought, be urged against the Bill before the House would consent to reject it on the second reading. But, it was asked, should the funds in the hands of the Governors of Queen Anne's Bounty be exhausted by the claims which might be made upon them under the Bill, what, then, was to become of the Bounty and of the purpose to which it ought to be devoted—the augmentation of small livings? Now, if the hon. Member for Gloucester (Mr. Monk) would turn to the 9th clause of the Bill, he would find it provided that—

> "The Governors shall keep a separate account of all moneys received by them in respect of fire insurances and of the fund arising therefrom, and such fund shall be called 'The Fire Insurance Fund,' and in case such fund shall at any time be insufficient to answer the immediate requirements thereon, the Governors shall be at liberty to lend at the rate of four pounds per cent per annum on the security of the premium fund any moneys in their hands belonging to their common fund"—

until the premiums paid on account of the fire insurance fund amounted to a sufficient sum to fill up the gap which would thus be created. It was also argued, in opposition to the Bill, that the Governors of Queen Anne's Bounty had not the necessary machinery to carry out its provisions. The fact, however, was that there were Surveyors appointed under the Dilapidations Act who went round, periodically, the different dioceses, and who could, without difficulty, supply the Governors with all the information which would be required for the purposes of the Bill, and which was asked for by those very Governors who had by a majority approved the scheme. They were aware how great an advantage it would be to the Clergy—many of whom were driven to such straits that the saving of every sixpence became to them a matter of importance—to be enabled to curtail their yearly expenditure, even to the small extent which the Bill proposed. He hoped, therefore, the House would not, by rejecting the Bill, refuse to grant to the Clergy the slight relief which it would afford.

MR. WHITWELL said, he should give his cordial support to the Bill. It was, he thought, but right that the Clergy, who were unable to form themselves into a mutual association, except through the instrumentality of the Queen Anne's Bounty Corporation, should be secured the same privileges in that respect as were enjoyed by all other classes of the community. The disestablished Church of Ireland had lately entered into an arrangement by which it would be enabled to insure all its property against fire at the rate of 1*s.* per cent, and the House was, he contended, bound to take every legitimate precaution for the purpose of having the Church property in England so secured that there might be as little risk as possible that its value would be diminished. It would be a great boon to the Clergy if that could be done by means of insurance without the expense which insurance in the ordinary way involved. He might mention that since the question had been mooted, an offer had been made by the agent of other insurance societies to take those insurances at the rate of 1*s.* 1*d.* per cent, so that the Queen Anne's Bounty Corporation would not be running any great risk if the proposal before the House were adopted. In his opinion, it was not only an advantageous proposal in many respects, but also a safe one.

THE CHANCELLOR OF THE EXCHEQUER wished to say a few words before the discussion closed. He had had the advantage of having seen, a few days before, some gentlemen who were interested in the passing of the Bill, and had informed them that he would look into the subject to which it related. He quite concurred with the promoters of the measure in thinking that it was desirable, if possible, to find some means of facilitating the insurance of parsonages. It was highly important that the property of the Church should be properly insured, and the law provided that those buildings should be insured. There were, at the same time, some difficulties in the way of enforcing the law, which operated more inconveniently to the Church than possibly would be the case under an improved system. Now, the Bill proposed that that new system should be brought into operation through the agency of Queen Anne's Bounty Board; and the proposal was supported by the argument that the Governors of that Bounty were already, to a certain extent, charged with the matter, inasmuch as to them was assigned the duty of seeing that ecclesiastical buildings were properly insured. There was, therefore, in the Bill a good deal which, at the first glance, appeared to be attractive; but, on the other hand, it contained much which was, he thought, deserving of serious consideration. It was a serious thing to grant a monopoly such as it proposed to confer. It was a serious thing to call upon a body possessing funds applicable to one purpose, to undertake a trading business—which an insurance business was—which might probably involve some risk to those funds. It was also a questionable point whether it was safe or right to lay down in the Bill a fixed and low rate of insurance, such as that which was named in it. Then there was Clause 18, which enabled the Governors of Queen Anne's Bounty, if they deemed it desirable, to discontinue the business of insurance. All these were matters which, in his opinion, required very careful consideration. There was, besides, another point to which he wished briefly to advert, and with respect to which he did not think the House had been sufficiently informed. As matters stood, hon. Members had no means of knowing how far the Governors themselves were willing to undertake the duties which would be imposed upon them by the Bill. Under these circumstances, the course which he felt disposed to recommend the House to adopt was to assent to the second reading, on the understanding that the

Bill should be referred to a Select Committee, by whom the points which he had mentioned would be carefully inquired into, and evidence taken both as to the ability and the willingness of Queen Anne's Bounty Board to become insurers of Church property. He should be sorry to see a measure absolutely rejected on the second reading, the intention of which was obviously so good, and which was capable of conferring so much benefit on the Clergy; but, at the same time, unless the course which he had indicated was taken, he should have some reluctance in voting for the second reading; for, in his opinion, a Committee of the Whole House would not be able to deal with the question satisfactorily, or to settle it as it ought to be settled.

Mr. MUNDELLA, as one who had practical experience of insurance offices for many years, and who was not in the slightest degree interested in the particular branch of fire insurance to which the Bill related, hoped he would not be charged with being actuated by any personal motives in opposing the Bill. If the Clergy could form a mutual insurance office, let them do so by all means; but he could assure the House that the scheme proposed by the Bill was regarded by actuaries as one of the wildest possible. He would, therefore, strongly recommend the hon. Gentleman who had moved the second reading of the Bill to accept the suggestion of the Chancellor of the Exchequer, and to assent to its being referred to a Select Committee.

Mr. LEIGHTON said, he was entirely in the hands of the Chancellor of the Exchequer, and if he thought the Bill ought to be sent before a Select Committee, he should accept that suggestion. He would only add that he had never insinuated that any hon. Member in opposing the Bill was actuated by interested motives.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

And, on April 2, Committee *nominated* as follows:—Earl Percy, Mr. Knatchbull-Hugessen, Mr. Rodwell, Mr. Monk, Mr. Birley, Mr. Whitwell, Mr. Cowper, Mr. Hardcastle, Sir Thomas Acland, Mr. Cotton, Sir Sydney Waterlow, Mr. Freshfield, Mr. Rowley Hill, Mr. Wait, Mr. M'Lagan, Mr. Hall, and Mr. Stanley Leighton:—Power to send for persons, papers, and records; Five to be the quorum.

MONUMENTS (METROPOLIS) BILL.

On Motion of Sir James M'Garel-Hogg, Bill empowering the Metropolitan Board of Works to accept and maintain the Obelisk known as Cleopatra's Needle and other Monuments, and to provide for the erection of the same on the Thames Embankment and on other lands; and for other purposes, *ordered* to be brought in by Sir James M'Garel-Hogg, Sir Charles Russell, and Mr. Forsyth.

Bill *presented,* and read the first time. [Bill 133.]

House adjourned at a quarter
after One o'clock, till
Monday next.

HOUSE OF LORDS,

Monday, 25th March, 1878.

MINUTES.]—Public Bills—*First Reading*—Threshing Machines * (50).

Select Committee — Contagious Diseases (Animals) * [37], The Lord Privy Seal *added.*

INDIA—THE DECCAN—REMOVAL OF MR. OLIPHANT.

QUESTION. OBSERVATIONS.

Viscount HALIFAX: My Lords, I rise to ask my noble Friend the Secretary of State for India a Question of which I have given him private Notice. It is in reference to the removal of Mr. Oliphant from his appointment as Secretary to Sir Salar Jung. In the Indian papers of last autumn a statement appeared that Mr. Oliphant, then in the service of Sir Salar Jung, one of the co-Regents of the Deccan, had been removed from that service by order of the Government of India. Mr. Oliphant is the son of Colonel Oliphant, an old Indian officer, who served many years in India, and who became afterwards a Director and Chairman of the East India Company. When I was President of the Board of Control I was in frequent and friendly communication with him, and I naturally take an interest in his son. I am not aware on what grounds Mr. Oliphant was removed. There may be good reasons for it—and I am willing to believe that the Government of India would not have undertaken a step involving such serious consequences to the son of an old Indian officer, except on grounds which seemed to them to render necessary so strong an exercise of the power which, I am ready to admit, they must possess. My noble Friend will be able to state the reasons for this removal, which, I presume, he considers to be adequate; but what I am very anxious to hear from my noble Friend is that the grounds of removal, whatever they may be, are not of such a nature as to affect Mr. Oliphant's character as a gentleman and a man of honour, or to afford any reason against his being employed in any fitting situation in the service either of the public or of a private individual.

THE MARQUESS OF SALISBURY: I entirely concur in the regret which my noble Friend has expressed that the Government of India should have found it necessary to remove Mr. Oliphant from the post he held under Sir Salar Jung. Mr. Oliphant is the son of a gentleman who held the highest office in the East India Company, and who, in the discharge of his duties, did excellent service, and Mr. Oliphant himself is a man of ability and of unblemished character. The Government of India had come to the conclusion that he could not be suffered to remain in the post he occupied without serious injury to the public interest, and Her Majesty's Government have seen good cause unreservedly to support the Government of India in that decision. It is not convenient that I should enter into the political grounds which made that action necessary; but I am glad to have the opportunity, which my noble Friend has afforded me, of saying that they imply no imputation on Mr. Oliphant's character, nor anything that would unfit him for an office of trust either in the public service or under a private individual.

FOUNDERING OF H.M.S. "EURYDICE."

QUESTION.

LORD SUDELEY wished to ask the noble Lord who represented the Admiralty in that House a Question, of which he had given him private Notice —Whether he can afford their Lordships any further information with reference to the disaster which has befallen H.M.S. "Eurydice," by which so many lives have been lost?

LORD ELPHINSTONE: My Lords, it is with the deepest regret that I have to state that the reports which have appeared in the newspapers narrating the loss of the *Eurydice* are correct. Yesterday afternoon, in a snowstorm, the *Eurydice* foundered within two miles and a-half of the Isle of Wight, with over 300 men and boys on board, and with two exceptions the whole perished. Only two were saved of the entire number of officers and crew. Since I came into the House, I have received a statement which enables me to give some particulars as to the *Eurydice*, which may be of interest to your Lordships. She was originally a 26-gun frigate, built by Admiral Elliot in 1842, for the purpose of competing with the well-known ships built by Sir William Symonds. She was in every respect a most excellent and seaworthy ship. She was first commanded by the present Sir George Elliot, and, subsequently, in 1854 and 1857, by Captains Ommaney and Tarleton, on the West India Station. When last year it was decided by Mr. Hunt to employ in training-ships the second-class ordinary seamen attached to the Reserves in home ports, the *Eurydice*, after repairs by White, of Cowes, was fitted out for a training-ship, 22 out of her 26 guns having been removed, four being left for the purposes of exercise. Various alterations had been made to give more room, and before she was put in commission her stability, which had been increased, was tested. In all other respects, such as spars, &c., she was unaltered. The officers were specially selected. She was commissioned by Captain Hare, in February, 1877. That gallant officer had been in command of the *Boscawen*, the training-ship for boys at Portland. Lieutenant Tabor had been a lieutenant of the *Narcissus* from 1870 to 1872, when she was flagship of the Flying Squadron, during which time he kept watch, the ship being nearly always under sail. He was afterwards first lieutenant of the *Cruiser*, sailing-ship, which was used in the training of ordinary seamen in the Mediterranean, in which ship he served three years and a-half. The other lieutenants were selected for their promising characters. The *Eurydice* had been on a cruise to the West Indies, for which station she left England in November, 1877. Her crew consisted of her proper complement of officers and petty officers, who were permanent, and of as many ordinary seamen as she could carry with comfort. She carried the same ballast as on former occasions, a rather larger quantity of water, and her rig was the same as before; and she carried four 64-pounder guns on the main deck. The wreck lies in 11 fathoms of water, two miles and a-half E.N.E. from Dunnose, with half of her topsails, and rigging above water. From an examination made of the rigging, it is concluded that the crew were engaged in shortening sail when the accident occurred, as the fore and main sheets and main-topsail halyards were found let go, and the foretopmast studding-sail and driver were partly taken in. No bodies or wreckage have been found beyond what were picked up at first. What actually occurred at the time of the foundering the Admiralty do not know, and it is doubtful whether any light will be thrown on it. I should not be doing justice to my own feelings, nor, I am sure, to those of your Lordships, if I did not express deep and sincere regret at the occurrence, and sympathy for the friends and relatives—some of whom, I fear, are parents—of those who have been lost.

DOVER HARBOUR.

MOTION FOR PAPERS.

Earl GRANVILLE: My Lords, I rise to put to the First Lord of the Treasury the Question of which I have given Notice, and to move for Papers. The latter will not be refused—they are the Correspondence respecting the Repairs of the Admiralty Pier at Dover, and they have already been given to the other House of Parliament; but the Motion for them puts me in Order in prefacing the Question by a few remarks. I have some right to consider my case as not bad, as I have never heard any argument even attempted against it on the several occasions on which I have brought it forward. My chief embarrassment is to know how much of it I need repeat to your Lordships on the present occasion. In any case, I will not trouble your Lordships with any reference to the importance which has been attached to Dover Harbour, both in times of peace and of war, for many hundreds of years. I will only remind your Lordships of the inquiries which have been entered into by Commissions and Committees since 1836. In 1840 the Commission appointed to survey the South-Eastern Harbours, reported—

> "The situation which appears to us to be of the greatest importance, and at the same time offers the most eligible position for a deep-water harbour, is Dover Bay."

In 1843 the Duke of Wellington laid the greatest stress on Dover, not only as a spot for a harbour of refuge, but also as a salient military point. During the last 10 years the Dover Harbour Board has made several attempts, in addition to those proposed by others, to make the Harbour in some degree fit for the great traffic between Dover and the Continent. These attempts were always frustrated by the opposition of the Government Departments—especially the Admiralty—an opposition exclusively grounded on the military importance of Dover, and the necessity of not undertaking any mere commercial work which might mar such a scheme as was demanded by Imperial requirements. In 1872 the Dover Harbour Board came to an agreement with the two Railway Companies to construct a water station for the Continental traffic, at a cost of £200,000. If this scheme had been allowed to proceed, we should long before this have had all the accommodation required for the Continental traffic. But, in the autumn, I learnt that the usual opposition would be forthcoming from the same Departments on the same grounds. I represented to my Colleagues that the position of the Government had become untenable—that we must either decide to do something ourselves or allow the local authorities to proceed. A sub-Committee of the Cabinet was appointed, representing the naval, military, and commercial Departments, and last, not least, the Chancellor of the Exchequer (Mr. Lowe), one of the most economical of that hard-fisted race of men. The matter was thoroughly investigated by this Committee, and again considered by the whole Cabinet of Mr. Gladstone. The result was that a plan, worked out by Sir Andrew Clarke, of the Admiralty, and Sir John Hawkshaw, was adopted by the Cabinet, and agreed to by the Railway Companies and the Dover

Harbour Board. The plan met the requirements of the Admiralty and the War Office, as well as the commercial wants of the public. The cost was to be less than £1,000,000. The means were to be provided by a Loan from the Public Works Loan Commissioners, and a Vote of £40,000 a-year, for eight years, from Parliament—the whole amount to be repaid by the rents of the property of the Harbour Board, and by the produce of the tolls receivable by them. A Vote of £10,000 was given, and in the autumn of 1873 the Harbour Board gave the necessary notices. There was a change of Government at the beginning of 1874, and the new Government said that they must have time to consider so important a question; but in 1875, after a year's mature consideration, they proposed a Bill to carry out the same plan. The second reading was carried, and the Bill was referred to a Select Committee. The evidence taken before that Committee was overwhelming in favour of the plan. If His Royal Highness were not present, I should like to read the whole of the evidence of the illustrious Duke the Commander-in-Chief. His Royal Highness, with his usual clearness and knowledge of the subject, gave the reasons why he entirely agreed with the late Duke of Wellington as to the necessity of such a work, which he considered "of the greatest possible importance." Colonel Nugent, R.E., Deputy Director of the Works, said—

> "It is geographically the most important point in Great Britain for having a military harbour. The fortifications at Dover would command the whole of the harbour."

Major General Collinson, R.E., said, among other things—

> "Dover is the most important strategical point for naval and military operations in the Kingdom. I think it is really absolutely necessary for strategic purposes and for military operations."

Sir Alexander Milne, the First Naval Lord of the Admiralty, gave the reasons why, in his opinion, "it was absolutely necessary that this country should have a harbour in the position of Dover." Captain Evans, Hydrographer to the Admiralty, agreed in this evidence, and stated the necessity of preventing the silting that was now going on, and that, in his opinion, the proposed scheme would effect this object. Colonel Pasley gave powerful evidence in favour of the Bill. The Civil Engineers proved the feasibility of the works. There was one other witness whose opinion is now even of greater importance than it was then —it is that of Mr. W. H. Smith, who is now First Lord of the Admiralty, and was then Secretary to the Treasury. In the latter capacity he said—

> "We inherited the scheme from our Predecessors. We found it in the form of a Bill last year, and it was delayed in order that the present Government might give it a more full consideration before they committed themselves to it. The Treasury would not have assented to the scheme—I am speaking of the present Treasury—unless it had felt that there were public grounds, grounds of national interest, which justified the scheme as a whole."

The Committee reported strongly in favour of the Bill, both on military and commercial grounds, but added, not a recommendation, but a suggestion extending the scheme, which they thought might be done at a moderate increase of expense. In consequence of this suggestion, Her Majesty's Government dropped the Bill for that year, on the ground, as was stated by the Lord President, that they might thoroughly sift and digest the evidence, and prepare a plan to submit to Parliament in the next Session. He added that in making that statement he did not pledge the Government to any particular scheme, but he did so with a view of showing their Lordships that the Bill was not withdrawn with any view of shelving the matter in any way whatever. On the faith of this assurance the Dover Harbour Board took no steps that autumn; when, on the 10th of November, at the very last moment, they were abruptly informed that Her Majesty's Government did not intend to proceed with the Bill. In the following Session, I made a somewhat similar statement to that with which I have just troubled your Lordships, and the answer of the Lord President, still Leader of this House, so far as words went, was perfectly satisfactory. He said he did not undervalue the importance of Dover Harbour in a strategical, national, or commercial point of view—he accepted the high authority of the witnesses I have quoted—he acknowledged the accuracy of my statement, and he said the subject had received the renewed attention of the Government in the autumn. But—and I am afraid that little word is at least as important as "if"—the subject was one of gravity and importance, the undertaking was large, and one which required a considerable outlay, and there was one important person to be consulted—namely, the Chancellor of the Exchequer—who, by-the-by, was the same Chancellor of the Exchequer who, after considering it for a twelvemonth, approved it in 1875—and the result was that it was not possible to proceed with so large a scheme during the then present Session. The noble Duke added, with his usual fairness that the Government were perfectly satisfied that Dover Harbour was of very great value in a national point of view, that Mr. W. H. Smith had said so in evidence, and that the matter was still under the consideration of Her Majesty's Government. Whether that consideration has been continued during the last 20 months I do not know, but no further communication has been received from Her Majesty's Government. The Dover Harbour Board have powers without any Act of Parliament to make certain improvements and alterations in Dover Harbour; but we do not like to proceed unless we clearly know whether or not the Government have definitively abandoned the intention of doing anything on the lines of the late scheme. I have purposely addressed this Question to the Prime Minister, because I wish to draw his personal attention to the matter; and, secondly, because it is not likely that in his position he will give one of those vague and indefinite answers which mean nothing. If it is the intention of the Government definitively to abandon a plan which was thought of national importance by them and their Predecessors, he will say so and give the reasons for it. But if, as I trust, he gives a more favourable reply, I feel sure it will not be merely to repeat the great importance the Government attach to the subject and the consideration they are giving to it; but to say that for the present the Chancellor of the Exchequer does not see his way to asking Parliament for a Vote for this purpose. If Her Majesty's late Government had remained in office, half the work would already have been finished. If it is as important for our national defences and for the prosecution of possible foreign wars as has been decided by the military, naval, and civil authorities of this and the late Government, surely further delay is injurious. We spent £4,000,000 on the purchase of shares in the Suez Canal to obtain an indirect influence over the administration of that important communication—the shortest of three routes to India. We have declared our readiness, in order to preserve it, to go to war, which must cost millions, and may cost hundreds of millions. Surely a telegraphic mechanician would be blamed if he concentrated his whole attention on the maintenance of one only of numerous wires, and neglected what was necessary to protect the instrument which supplied all the wires with the required power? We are spending millions at the present moment on horses and stores, most of which are of a perishable character, and which all of us—at all events, the majority of us—hope may be worn out by old age before they are really used. But we refuse, merely on financial grounds, to spend less than £1,000,000, which it is hoped will be repaid, on necessary and permanent work—work which will be as useful in peace as in war, and is of a reproductive character. I trust the noble Earl can give the House some definite information as to the views of Her Majesty's Government. In conclusion, I beg to move for the Papers to which I have referred.

Moved that there be laid before the House, Copy of the recent Reports on Dover Harbour.—(*The Earl Granville.*)

THE DUKE OF CAMBRIDGE said, that having been called on by the late Government to give his opinion as to the advantage of such works for the Harbour of Dover as those to which his noble Friend had just referred, he had no hesitation in confirming the statement of his noble Friend with regard to the importance of the works in question. Certainly he thought that from a military point of view they would present very great advantages. There was no available port between Portsmouth and the mouth of the Thames. Troops and stores could not be embarked with convenience in the Downs, but for their embarkation Dover was most convenient. It must be borne in mind that Portsmouth would be so overcrowded for naval purposes in the event of war, that it was most desirable to have another port. It was not for him to say what Her

Majesty's Government ought or ought not to do in respect of such works; but he had no hesitation in saying that his opinion had not changed since he gave the evidence to which his noble Friend had referred; and he, for his own part, would be most glad to see these works carried out. It was important to bear in mind that works of defence already existed at Dover. Their existence made it all the more desirable to have that harbour improved. If money for military and naval purposes were laid out on a harbour which had no works such as those to which he referred, the ultimate expenditure on such harbour would probably be much greater than what would be sufficient in the case of Dover. With respect to the size of the Harbour, he would be satisfied with the smaller one proposed.

THE EARL OF BEACONSFIELD: My Lords, I certainly should be very glad to see the Harbour of Dover enlarged and strengthened in the way the noble Earl (Earl Granville) proposes, and I think it very natural that he, as Lord Warden of the Cinque Ports, and in addition to that a public man filling a very leading position in the country, should take a great interest in the question. And, my Lords, I will not give the noble Earl a vague or merely formal answer; but I will place before the House the facts in relation to this question, and leave the House to decide whether Her Majesty's Government have acted with neglect or improvidence in not precipitately attempting to carry out the work in the way proposed. The matter is one which engaged my consideration when I was in the other House of Parliament shortly after the present Government came into office. I think it was in 1873, as the noble Earl says—the year before we came into responsible position—that the question was dealt with by the late Government. When we succeeded to them, we had to consider the question and to decide what, in our opinion, was the necessity of the case—and what it was our duty to perform in regard to it. At that time the plan laid before the Government contemplated an expenditure little short of £1,000,000—the amount was £970,000—and that, your Lordships must feel, was a matter of considerable importance. It was a sum the expenditure of which no Government would have been justified in embarking in without great consideration. However, having inherited, as my right hon. Friend the First Lord of the Admiralty said in the passage quoted by the noble Earl, the proposal of the late Government, and wishing to go as far as we could in carrying into effect what, no doubt, would be a work of great public importance—though I would remark that it is not the Harbour of Dover only, but many other harbours which are deserving of consideration—we brought in a Bill, which was read a second time and referred to a Select Committee. Well, the Select Committee increased the contemplated expenditure on this object. The noble Earl seems to demur to that statement; but I think that on reflection he will see that it is quite correct. The plan which the late Government approved would have involved an expenditure little short of £1,000,000; but the Select Committee increased the expenditure by £130,000; so that the plan recommended by it contemplated an expenditure of £1,100,000. The first thing, then, which the Government had to consider was what was to be done about the recommendation of the Select Committee, and how the additional £130,000 was to be provided for. It appeared to be the general opinion—the opinion of the Harbour Commissioners of Dover and of the Committee of the House of Commons to which the Bill had been referred, and of all concerned—that certainly the £130,000 was to be provided by Her Majesty's Government. I am not prepared to say that, in a case where an urgent necessity of the public welfare has to be considered, that was a difficulty which might not have been got over; but this increased expenditure of from £970,000 to £1,100,000 was not an unimportant matter, and we had to consider the means by which the larger sum was to be provided. I do not know whether our Predecessors were responsible for it, or whether we are; but, at all events, as we were in office, we could not shrink from the responsibility which had devolved on us; and it appears that the original plan of providing the £970,000 was this—one-third was to be provided by the Treasury, and two-thirds were to be advanced by way of Loan from the Public Works Loan Commissioners. If the money could have been provided in that way, it is not improbable that the

Government would have considered themselves justified in advancing the further sum of £130,000. But a difficulty occurred. A somewhat singular state of things was found to exist. The Public Works Loan Commissioners demurred to an advance of two-thirds of the sum of money required on this ground—they could not recognize that there was security for the sum they were called on to advance. For the £600,000 which they had been asked to advance the revenue of the Dover Harbour Board would have been part security, and it was calculated that the revenue would be further increased by the improvement of this splendid Harbour. But another security was put forward. It was proposed that a Bill should be introduced in Parliament which would empower the Dover Harbour Board to levy a charge of 1*s.* on every passenger that left the Harbour; and it was said that such a charge would be cheerfully paid for the increased convenience which the Harbour when improved would afford. But the Public Works Loan Commissioners took a different view. They did not think the existing revenue of the Dover Harbour Board was a security of a very satisfactory and substantial character, and they thought it was doubtful whether that revenue would be increased by the proposed works. It was also thought that, though in a moment of enthusiasm the House of Commons might attach 1*s.* to every passenger leaving the Harbour of Dover, there was no security that a Bill having that object would ultimately pass, or that, if it did, it would be continued long on the Statute Book. And probably in these days, when agitations are so easily got up throughout the country against tolls and other imposts, an agitation for a free passage and no 1*s.* duty between Dover and Calais would be one which in a short time would have a very good chance of success. The Government, under these circumstances, had to consider what was the real position under which we were called on to provide for the sum of £1,100,000. I must recall to your Lordships' attention the very great changes that have occurred in the financial position of the Treasury since the first of those plans of improvement was proposed. The overflowing treasuries to which the noble Earl (Earl Granville) was accustomed, and under the inspiration of which he and the Dover Harbour Board must, I think, have conceived this scheme, have ceased to exist. If we carried into effect the plan of the noble Earl and his coadjutors, we should be putting a charge on the country of £125,000 a-year for nine years. The revenue of the country does not justify such a charge; and on that ground alone I should be perfectly prepared to rest the remarks I have made on the proposal of the noble Earl—a proposal which in itself I do not oppose, but which I should like to see carried into effect if the means were in existence by which it might be carried into effect. It is very well known that the surpluses at this moment in Her Majesty's Treasury are not abundant, and probably before many days or many hours have past they will have ceased to exist, and be succeeded by another state of the account. No doubt it would be an advantage to give the Harbour of Dover a larger area; but many other schemes—such, for instance, as some in connection with harbours of refuge—would also be very advisable; and the state of the finances of the country would not justify the Government in coming forward and proposing that for nine years the country should pay £125,000 a-year in order to effect the object which the noble Earl has so ably brought before us. I place the matter on that ground. I think it would be extremely inconvenient to go into the naval and military considerations to which the illustrious Duke, with all the weight which attaches to his position, has referred, and to which the noble Earl also called attention. Those are points which never can be foreign to the consideration by Her Majesty's Government of a question such as this; but, if admitted in this case, there are other cases which must command attention on the same ground. But it is not on this ground I wish this proposal to be decided. I want the House to see that the proposal which the noble Earl makes, however founded on sound principles, and however it might conduce to beneficial results, is not one which in the state of the finances of the country a prudent Government should embark in. The Papers which the noble Earl moves for have been already laid on the Table of the other House, and the noble Earl can have them, and any further Correspondence on the subject which may not have been laid on the Table of the other House will be at his disposal.

VISCOUNT CARDWELL said, there was no disputing the fact that the question was one of great military importance; no other question of the same nature was comparable to it in that respect; and he was surprised at the reply made by the noble Earl at the head of the Government when he remembered the charges levelled against the late Government on the ground that they thought more of curtailing the public expenditure than of attending to the naval and military requirements of the country. The plan of the late Government for Dover Harbour would impose on the country an expenditure of only £40,000 a-year for eight years—it was a mistake to say that the Select Committee had recommended a more expensive scheme than that submitted to them. If their Lordships would refer to the Report, they would find that the Committee did not recommend the more expensive scheme for adoption. What they did was this—they delivered a verdict on the scheme before them strongly in its favour, but appended a statement that if the whole question were before them they would suggest the larger scheme. He had never seen a stronger case of a Government contriving "How not to do it," and he did not think they would meet with the approval either of their Lordships or of the country.

Motion *agreed to.*

SCIENCE AND ART—MUSEUM OF CASTS FROM THE ANTIQUE.—QUESTION.

OBSERVATIONS.

THE EARL OF WHARNCLIFFE asked Her Majesty's Government, What reply had been given to the Memorial presented by the Duke of Westminster to the First Lord of the Treasury, recommending the establishment of a Museum of Casts from the Antique, according to the scheme proposed by Mr. Walter Perry at a meeting held at Grosvenor House on the 16th of May, 1877, and whether they would be prepared to ask for a Vote for that purpose; also, to ask what Treaties existed as to the exchange of Casts with other Governments? The noble Earl—who was very imperfectly heard—was understood to say, in substance, that the meeting at Grosvenor House, at which the Memorial referred to had been drawn up, was attended by a large number of persons eminent in Literature and Art, and included Earl Granville, Earl Spencer, and the Earl of Carnarvon, who had been Commissioners of the International Exhibition of 1851; Sir Coutts Lindsay; Mr. Newton, the head of the Department of Greek and Roman Antiquities at the British Museum; Mr. Burton, head of the National Gallery; Mr. Poynter, of the Art Department, South Kensington; and Mr. Leighton, R.A.; and such well-known artists as Legros and Boëhm, and Mr. Doulton. The Memorial represented that, while they had the National Gallery and the Gallery at South Kensington, where the masterpieces of painters—ancient and modern — could be studied, and drawing was taught in the Government schools all over the country, the omission that they had no central place for Sculpture was a great drawback to the progress of that Art in this country. In this they were behind almost all foreign nations. There were to be found National Museums of Sculpture in nearly every capital of the Continent—at Paris, Munich, Florence, Rome, Naples, and other great cities; and it was to these places that the English student was compelled to travel to complete his higher education in Art. They had, indeed, in the British Museum, some of the finest examples of Sculpture, in the Elgin Marbles and other works of Greek Art. The noble Earl was understood to say that what he conceived to be required for the purposes of Art Study, was a chronological arrangement of Casts from the Antique, displaying the style and progress of the nations of antiquity. For instance, a small selection of Egyptian and Assyrian Sculptures; of early Greek work, of the Archaic period of the Art before Phidias, and of works of the age of Pericles—of which noble examples from the Parthenon and Erechtheum were in the Sculpture Galleries; also from the Temple of Nike Apteros, or Wingless Victory, and the Theseum; the later Attic works would be illustrated by casts of the Niobe, Barberini Faun, and from the Mausoleum at Caria; the age of Alexander and his successors, by Casts from the Farnesian Bull, Laocoon, Apollo, Belvedere, and Dying Gladiator;

whilst the time of the Cæsars, up to Trajan, would furnish examples in Venus de Medici, and in busts, reliefs, and architectural details in arches, at Rome; the sea-gods would be represented by Neptune, Amphitrite, Tritons, and Nereids; the forest-gods by Fauns, Pan, and Satyrs; and Animals by Casts of Boars, Dogs, and Stags. It was not to be forgotten that the lectures of the Professors at their Art Institutions would be doubly effective if illustrated by Casts selected as he had indicated. The taste of the people of this country, also, must improve under the influence of the silent teaching of such works, and the manufacturing prosperity of the country depended much on the capacity of their craftsmen to compete with those of foreign countries in taste as they did in handywork. He thought that the object recommended in the Memorial might be fairly completed in four years, and for a sum of £10,000 spent over that period. This was but a small sum for so considerable an advantage, and could not be grudged considering the large sum which had been spent on the South Kensington Museum. There was already much space there devoted to Art, and a Museum of Sculpture added to the already invaluable collections, would afford to the student a complete curriculum of Art. Nor need there be any fear of competent assistance. To such men as Mr. Perry, the work would be a labour of love. It might be said that it was no part of the business of the Government to undertake work of this description. Other nations and other times had not thought so. Look at the example of Greece, where Pericles and Alexander had been great teachers of Rome; under Hadrian of Italy; under the Medici, Leo X., and the Republic of Venice; of the French under Napoleon, and of the Sovereigns of Bavaria and Prussia in their own days. He thought, then, he had said enough to justify him in calling on the Government to take this matter in hand, to follow these good examples, and to found a Museum of Sculpture worthy of the country.

The Earl of MORLEY thanked the noble Earl for having brought this subject under the notice of their Lordships. The Memorial to which the noble Earl had referred was signed by Mr. Newton, the Keeper of the Greek and Roman Antiquities at the British Museum, by Sir Francis Grant, the President of the Royal Academy, by Mr. Leighton, R.A., and many other gentlemen of the highest rank in Art. He concurred with the noble Earl as to the influential character of the movement in favour of a Museum of Casts from the Antique. In fact, the greatest interest was taken by people conversant with the subject in the establishment of such a Museum. The noble Earl had alluded to the position of this country with regard to this matter as compared with other countries. In Germany there were no fewer than 14 such Museums, which were to be found in all the great centres of education and in all the large capitals. And, in order to take advantage of the excavations made at Olympia, Germany, since they were prevented by the agreement from carrying away the sculptures they might discover, had sent large sums of money to the Greek Government that it might have the exclusive right of obtaining Casts of the statues that might be found. That was another proof of the importance attached by Germany to having Casts of the *chefs d'œuvres* of antiquity. At Rome and Paris, also, great efforts had been made for the establishment of such Museums. By the statues being arranged chronologically, students would be able to trace the progress of Greek Art from its Egyptian origin to the School of Phidias, and its decline from the time of Phidias down to the Rhodian School. Such a Museum he believed to be very much wanted, not to supersede, but to supplement, existing institutions. The noble Earl had stated that the cost would not be very great; he (the Earl of Morley) thought the chief expenditure would be in the buildings. In the Memorial presented to the Prime Minister, it was estimated that a building of 350 feet by 30 feet or 40 feet would be sufficient to begin with, and that the cost of a Museum not so large as the one at Berlin would not exceed £67,000—so that £10,000 a-year spread over a few years would be all that should be required. With such an institution for the instruction of artists, London might ere long become one of the great Art-centres of the world. He hoped the Prime Minister would be able to hold out hopes of a small sum being granted next year by way of preparation, if nothing could be done this year.

THE EARL OF CARNARVON said, that the collection in the British Museum was one of the noblest in Europe; but, at the same time, it could not be regarded as a complete exhibition of the whole history of statuary. He had been for many years more or less conversant with this matter as one of the Commissioners of 1851, and his noble Friend opposite (Earl Granville) would remember that Mr. Perry laid before them a scheme which, speaking from recollection, he believed was favourably entertained by the Commissioners. The advantages of a Museum of Casts were, in an educational and artistic point of view, very obvious. His noble Friend had alluded to the cost; but really there could be no question of money here. It was not the want of a small sum of £10,000 a-year for a few years that ought to stand in the way. The real difficulty, as he apprehended, was the difficulty of space, and the more it was considered, the more that difficulty would present itself. There were statues, groups, busts, and reliefs to be taken into account, from the Egyptian period down, he might say, to the time of the Antonines. That involved a comprehensive illustration of the plastic art for many centuries, and a very large number of specimens. And if to these were added Casts of the remarkable discoveries now being made at Olympia and elsewhere, considerably more than a gallery of 350 feet by 40 feet would be required. His opinion was that double the space now assigned to sculpture in the British Museum would be insufficient. It was not enough to have a large number of statues or groups; there must be sufficient space in which they could be seen; that, from the artist's point, was quite as essential as the number of the statues. Therefore, he thought the question would arise very early whether it was desirable to make their collection very comprehensive or select. He thought that a comparatively few statues well chosen would be worth 500 crowded together in a manner which would make it impossible to examine them artistically and critically. Then there was another point. There were good Casts and bad Casts, and it needed a very skilful expert to be able to distinguish the one from the other. It was possible that we were on the eve of considerable improvement in the material itself; and everyone would admit that Casts in plaster were very unsatisfactory. It had been said that clay was life, plaster was death, and marble resurrection. But anyone going into the British Museum at this moment would see that a very great improvement was being made in the mode of treating the Casts. Other expedients in place of the oil or paint which had till now been used were in process of trial, and with more or less success. The effects of the London atmosphere had been found very deleterious, and various experiments had been made with this view; but even where the largest success had been gained, it had been found necessary to protect the Cast with glass. The present question was brought before a Special Committee of the Commissioners for the Exhibition of 1851, and he thought he might say that it was favourably entertained by them. There could be no doubt that, if the scheme were to take effect, South Kensington would be of all the places which could be named the most likely to be successful. There was at the present moment gallery room at South Kensington which, he believed, was available for this purpose; and, if he were not mistaken, there was also a nucleus of Casts which, with judgment, might be developed into a better collection. His object in these criticisms was not in any way to throw cold water on the scheme, which he thought was likely to be attended by very salutary results as regarded Science and Art. Still he thought it was a scheme which ought to be proceeded with very cautiously, especially at the present moment, when very large buildings were being erected at South Kensington for the Natural History Collection. The selection of Casts was a matter which required very great discrimination—the fractures, twisting, and straining to which plaster Casts were subjected were points which made the selection a matter of great difficulty. He observed that his noble Friend (the Earl of Wharncliffe) had also asked whether there were Treaties with Foreign Powers for the exchange of casts. There might be, although he had never heard of any, and should be inclined to doubt the advantage if such there were. But there was, though not a Treaty, a Convention on the subject, signed by the European Princes who met at Paris in 1867, and possibly it was this

Convention which was present to the mind of his noble Friend opposite when he asked the Question. He believed that there were at the present moment some objects of mediæval art at South Kensington which had been sent over in consequence of that Convention.

EARL COWPER hoped a favourable answer would be given to the Question, as the subject was one in which he had for some time taken the greatest interest. Of course a room of the size mentioned would not hold all the statues which ought to be represented; but still it would be large enough to contain a representation of all the important Schools. At all events, a room of the dimensions now proposed would be big enough to make a beginning. He need add nothing to what had been said respecting the enormous advantages a school of this kind would confer on sculptors. It was a disgrace to this country that a man who desired to be a sculptor was obliged to go abroad in order to study his Art. The proposed Museum would likewise be useful to everybody who had even a smattering of classical education; and perhaps, by degrees, some of the lower classes might be able to appreciate the beauty of the forms which would be exhibited. He did not see what objection could be raised to a National Museum for Casts from the Antiques, since the principle had been admitted in the establishment of the South Kensington Museum.

THE EARL OF BEACONSFIELD: My noble Friend who opened this question asked me three Questions, to which I will now reply. First, he asked me whether Her Majesty's Government had given any reply to the Memorial presented by the Duke of Westminster recommending the establishment of a Museum of Casts from the Antique, according to the scheme proposed by Mr. Walter Perry at a meeting at Grosvenor House on the 16th May last year? I may say, in reply, that I had the honour of receiving personally the Memorial presented to the Government by the Duke of Westminster, and that there was, of course, an acknowledgment of courtesy, but no formal answer was sent to it; and I told the noble Duke at the time there would be no official answer until I could give it to him in some practical form. Well, it is not so easy a matter to settle the question as my noble Friend, who has in so interesting a manner introduced it to our notice, seems to suppose. At the first blush, everything seems to be in favour of the proposal. It is charming in its design, economic in its establishment, and there are no difficulties when the tastes of all classes are to be gratified; but the truth is, when we come to practice, there is, particularly at this moment, immense difficulty in dealing with what are called Museums. The number of Museums—some *in esse* and some *in posse;* some with a local habitation, but without a name; and some with a name, but without a local habitation—that are pressing on the Government is now very large. They all require that some order shall be drawn out of chaos; and the convenience of the public in these respects must be considered imperative. It appeared to the Government that much inquiry was necessary on these subjects, and they have thought it best to appoint a Committee which shall examine into the question of Museums generally, and to that Committee the Museum which has been brought under our notice tonight will be referred. I regret there has been some delay in appointing the Committee; but the difficulties of detail have been so very considerable that we have not effected our object so soon as we could have desired; but my noble Friend may rely upon it that the subject is one which has engaged the attention of Her Majesty's Government, and that it will not be neglected. My noble Friend also asked whether the Government will be prepared to ask this year for a Vote to carry this purpose into effect? But the few remarks which I have just made will have prepared my noble Friend for the reply that we shall not be prepared to ask for a Vote for this purpose this year. The plans have not been arranged; and, although the sum may not be considerable, yet, unless I have much more information on the subject than we have yet received, I cannot for a moment believe that the sum which has been mentioned will be sufficient to carry into effect the design which has been sketched out. My noble Friend next asked what Treaties exist as to the exchange of Casts with other Governments? No Treaties with that object exist. Allusion has been made to what may be described as a Convention, into which this and other countries entered through the influence of an illustrious Prince (the Prince of Wales), who is a Member of this House, and who takes a leading part in everything connected with the encouragement of Art. The first movement in that direction was therefore given by the illustrious Prince. But a Memorandum was drawn up, I think, in the year 1868, under the influence of the Prince of Wales, and it was readily signed by 15 Princes of reigning Houses, who bound themselves —and they have acted upon that honourable engagement—to facilitate as much as possible the obtaining of accurate and fine artistic copies of all works of the description to which my noble Friend has referred—and not merely classical, but also mediæval works. To a certain degree that purpose has been attained; but there are no Treaties on the subject, and I should myself think that the object can be brought about by diplomatic influence without any formal Treaties. I can assure my noble Friend who introduced these questions that he has my entire sympathy on the subject; and I hope that before next Session means may be found for carrying into practical effect the views he has introduced to the House this evening.

EARL GRANVILLE said, that he could not help thinking that what the noble Earl had said was quite reasonable. It was desirable that the subject of Museums should be considered by the Government; but he was not quite sure whether the Committee to be appointed should be an official one or a Select Committee of either House of Parliament. Whichever it might be, there was one suggestion which he would make. It was perfectly true what the noble Earl had said about there being a number of qualifications in regard to Museums, and he would suggest that there should be some preliminary inquiries in other countries which should be laid before the Committee, to enable them the better to judge of the matter, and which would not commit the Government to any particular course. Those inquires could be made at an expense of a few hundred pounds. He would not ask for any answer to this Question that evening.

THE EARL OF WHARNCLIFFE, in reply, was understood to express his satisfaction at the statement of the Prime Minister, and to point out that, as the National Portrait Gallery would soon be removed, the rooms which the National Portraits now occupied would be available for other purposes.

House adjourned at a quarter before
Seven o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 25th March, 1878.

MINUTES.]—NEW WRIT ISSUED—*For* Belfast, *v.* William Johnston, esquire, Inspector of Fisheries (Ireland).

PUBLIC BILLS—*Select Committee*—Merchant Seamen* [79], Lord Eslington *discharged*, Sir George Elliot *added.*

Committee—Mutiny—R.P.

Committee—*Report*—Local Government Provisional Orders (Bristol, &c.) (*re-comm.*) * [112]; Poor Law Amendment Act (1876) Amendment * [103-134].

Third Reading—Consolidated Fund (No. 2) * and *passed.*

QUESTIONS.

POOR LAW (IRELAND)—CAVAN UNION —CASE OF ANNE SPINKS.—QUESTION.

MR. KAVANAGH asked the Chief Secretary for Ireland, Whether his attention has been called to the case of Mrs. Anne Spinks, who for 26 years was matron of the Cavan Workhouse, and who was forced to resign the office from failing health, and who, since her resignation, having been refused any superannuation by the guardians of the union, has been an inmate of the house as a pauper; and, whether there is no power in the hands of the Local Government Board to meet circumstances of such hardship?

MR. J. LOWTHER: Yes, Sir, my attention has been called to this case, and I find the facts are as stated by my hon. Friend. On the report of their Inspector, the Local Government Board, in June, 1876, suggested to the Guardians that this was a fitting case for resignation and superannuation. The Guardians, however, accepted the resignation, but declined to grant any pension. In January, 1877, Mrs. Spinks became a pauper inmate of the workhouse, and the Local Government Board requested the Guardians to re-consider their previous decision. This they declined to do. Subsequently, on the 5th of the present month, a Guardian proposed that an allowance of £16 per annum be granted. This proposal, however, was negatived upon a division by the Board. I am sorry to say that the Government have no means of redressing this undoubted hardship, as the powers of the Local Government Board are confined by statute to signifying their assent or dissent, when an allowance has been voted by a Board of Guardians, and they possess no power of initiating such a proposal.

CRIMINAL LAW—THE QUEEN v. CASTRO—ARTHUR ORTON.—QUESTION.

Mr. BLAKE (for Mr. Whalley) asked the Secretary of State for the Colonies, Whether he is aware that the local authorities in charge of a lunatic asylum called the Gladesville, on the Paramatta River, Sydney, New South Wales, have refused permission for a lunatic in the said asylum named Creswell, but known as Arthur Orton, to be removed therefrom, his presence being required in England for judicial purposes; and, whether he will be good enough to adopt such steps as may be requisite to secure the presence of such person in England on such terms and conditions in regard to cost and all other considerations due to the present circumstances and future provision for the said lunatic as he may think fit to prescribe?

Sir MICHAEL HICKS-BEACH, in reply, said, he was not aware of any such action on the part of the local authorities of New South Wales, nor had any circumstances come under his notice which justified his intervention, even if he had any power to intervene in the sense suggested by the Question.

ENDOWED SCHOOLS (SCOTLAND)—LEGISLATION.—QUESTION.

Mr. C. S. PARKER asked the Secretary of State for the Home Department, If he can inform the House whether the measure relating to Endowed Schools and Hospitals in Scotland, announced in the Queen's Speech, will be introduced before Easter?

Mr. ASSHETON CROSS: Yes, Sir; but the state of Public Business in this House prevents its being brought in here, and it will be introduced in the other House, where the Lord President of the Council will give Notice of it to-night.

LAW AND JUSTICE (IRELAND)—CHARGE OF MR. JUSTICE KEOGH.

QUESTIONS. OBSERVATIONS.

Mr. SULLIVAN asked the Chief Secretary for Ireland, Whether he can lay upon the Table any copy of a charge or address reported to have been delivered on the 18th instant to the grand jury of Derry by Mr. Justice Keogh; and, if there be no official record of that address, whether the report in the "Freeman's Journal" of the 19th instant may be taken as correct?

Lord CLAUD HAMILTON: May I be permitted to intervene, in order to save the time of the House, and ask the right hon. Gentleman, Whether it is true that the proceedings to which the charge or address referred were, to a large extent, a commemoration in honour of persons who have been tried for, or convicted of, treason or murder?

Mr. SULLIVAN: And, before the right hon. Gentleman replies, may I ask, Whether the commemoration to which the charge refers did not take place on the Feast of St. Patrick, which has already been recognized as a legal holiday on the part of this House?

Mr. J. LOWTHER: I will first of all say that there is no obligation resting upon Judges to furnish copies of their charges or judgments, nor are they in any way responsible to the Government. I therefore did not feel it my duty to make any inquiry upon this subject; and, as I have no means of testing the accuracy of newspaper reports, I had intended to have confined my reply to a statement of these facts. I, however, received a letter this morning from Mr. Justice Keogh, which, in justice to so highly-valued a public servant, I have no doubt the House will allow me to read. It is as follows:—

"Roebuck Grove, Miltown,
"23 March 1878.

"Sir,—Having seen a Notice given by Mr. A. M. Sullivan, of an intended Question in the House, I addressed a letter to my friend the

Attorney General, of which I enclose a copy. I fear the Attorney General had left London before my letter reached him, and I am informed here to-day that he has gone to Galway on public business, and will not be in his place on Monday night. Under the circumstances, I hope you will pardon me for sending you the enclosed, to put you in possession of the facts, that you may either state them, or, if you think proper, read my letter. I am anxious that I should not be exposed to unmerited obloquy in the House, of which I was for many years a Member, and for whose good opinion I entertain the highest value.

"I have, &c.,
(Signed) "*William Keogh.*

"The Right Hon. James Lowther, M.P.,
"Chief Secretary."

The enclosure is as follows:—

"Judges' House, Londonderry,
"21 March 1878.

"My dear Attorney General,—I perceive by the papers that Mr. A. M. Sullivan has given Notice of his intention to ask the Government if they can lay upon the Table any authorised report of my observations to the Londonderry Grand Jury. I am not in the habit of preparing my addresses to juries, and cannot therefore furnish the Government with any such report, but I have no desire to question the substantial accuracy of that contained in 'Derry Sentinel' of Tuesday last.

"I had to comment on the very large number of persons (97 in all) awaiting their trial for party riots of every description. I deprecated their continuance, and appealed to the citizens of Derry to allow the processions which were *about marching on that day*, to proceed without the violent interruption which had been threatened. In doing so, I had not for an instant in my mind any intention to speak disparagingly of what is called the 'National Festival,' and which was, in fact, past and beyond my thoughts. I had, however, before me the arches hung across the streets, under some of which I walked, the inscriptions on them proclaiming the intention of the processionists to celebrate the memory of the so-called 'Manchester Martyrs;' the portraits of Lord Edward Fitzgerald and Robert Emmett; the 'I. R. B.' being the initial letters of the late suppressed Fenian conspiracy; 'Ireland for the Irish;' 'The Harp without the Crown;' the French flag fastened against a house wall, whilst the flag of England was not allowed to be seen. I spoke of those things as disgraceful, and I begged of the loyal inhabitants of Derry to treat their exhibition with silence and disdain. I have reason to believe that my advice was acted upon, and that in consequence no serious collision took place.

"As I have already been misrepresented in some public journals on this subject, I trust I may rely upon you to have the matter set right should it come before the House of Commons, and in doing so you may make any use you think proper of this letter.

"Yours, &c.,
(Signed) "*William Keogh.*

"The Right Hon. the Attorney
"General for Ireland."

These letters will supply an answer to the Question just put to me, with private Notice, by my noble Friend the Member for King's Lynn, and also to the subsidiary Question by the hon. and learned Member for Louth.

MR. SULLIVAN: Sir, I have to say that the extraordinary length of the defence which has been read—["Order!"]—I am about to conclude with a Motion, and can put myself in excellent Order—a course I should not have attempted to pursue if the reading of that defence, in answer to my Question, had not been so very long, going into particulars befitting more a subsequent stage of this question than that of an answer to the House. Therefore, I regret that this has put upon me the necessity of taking a course which the House generally has an objection to pursue. I wish to take this opportunity of moving the adjournment of the House for the purpose of saying that it is not correct, according to *The Londonderry Sentinel* report, for Mr. Justice Keogh to say that he then referred to emblems and flags, for his words were "the commemoration of that day—a commemoration nothing but disgraceful." "The commemoration of that day" was the commemoration of St. Patrick's Day, the national festival of Ireland, which is a religious festival, honoured by Protestants. [*A laugh.*] I hear an English Member, whom I have the pleasure of knowing, laugh at the idea of this being a religious festival. As I said the other night, we have our religious festivals in Ireland, and we know how to observe them. But in Ireland we are not in the habit of celebrating fast-days by pic-nics of thousands to Epping Forest and other places. I am sorry to say that in the report of the matter now furnished, the Right Hon. Mr. Justice Keogh has attempted an equivocation. ["Order!"] I am perfectly in Order, and if I were not, I should be called to Order by the Speaker. I will produce the report in the newspaper to which he has referred, and I will prove that the report in the paper is irreconcilable with the assertion made in his defence. He referred, according to the report of the newspaper he himself has named, to the commemoration of St. Patrick's Day, about which he said there was nothing to commemorate but disgrace, and he referred to other commemorations with glowing pride and eulogium, and said they were noble and good. Those to which he referred with praise were commemorations of the spilling of blood, perhaps most justly, in rebellion against an English King. They were deeds of war, bloodshed, and struggle; whereas the national festival of Ireland, then being celebrated, which he calls nothing but one of disgrace, was the commemoration of the conversion of our country to the Gospel and the truths of Christianity. We are not about to suffer this language to pass without challenge; and the House will have an opportunity in good time for saying whether it is conducive to the respect that ought to be paid to law in Ireland that from the justice seat the anniversary of the death of the Saint who converted our country to Christianity is to be spoken of as a disgrace. I now say the attempt to put a new colour on the statement by Mr. Justice Keogh in the letter just read to the House is irreconcilable with the words he uttered, and is only, I am sorry to say, an absolute evasion of the truth. I beg to move the adjournment of the House.

Mr. O'CONNOR POWER seconded the Motion.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Sullivan.*)

Mr. SPEAKER: Before putting this Motion, it is right that I should point out to the House that I have repeatedly called attention to the great inconvenience arising from moving the adjournment of the House when hon. Members are not satisfied with the answers they receive to Questions. That observation applies with special force upon the present occasion, when the conduct of an eminent Judge is called in question, not by a substantive Motion, according to the ordinary practice of the House, but on a Motion for the adjournment of the House.

The Question is that the House do now adjourn.

Mr. O'CONNOR POWER: Sir, I sympathize with your objection to Motions of adjournment; but I think the blame of this Motion should be placed upon the proper shoulders. Now, this is not the first time that Ministers have availed themselves of the opportunity of answering Questions to enter into debatable matter, which places hon. Members who may venture to put Questions in a very awkward position. I think the Motion for adjournment on the present occasion more excusable than any other that we have recently heard. This is not the first time that the conduct of Mr. Justice Keogh has been brought under the notice of Parliament. It is not the first time that evidence has been brought forward to show that a gentleman is permitted to occupy a seat on the Judicial Bench in Ireland who is nothing more than a religious and political firebrand. ["Oh! oh!"] I repeat the assertion deliberately. ["Order!"] Well, I presume if I am out of Order, I shall be called to Order by the proper authority. The career of this extraordinary personage may be summed up in a few words. He is a gentleman who obtained a seat in this House by the adoption of principles which, ever since he became connected with the Government, he has availed himself of every opportunity of denouncing in most violent terms. Mr. Justice Keogh obtained his seat as the champion of Catholicism.

Mr. SPENCER WALPOLE: I rise to Order. When the hon. and learned Member for Louth (Mr. Sullivan) was speaking, I own I felt very doubtful whether some Member ought not to rise in his place to put it to the hon. and learned Gentleman whether he was not entirely out of Order in a matter of this description? If he desired to challenge the conduct of a Judge upon the Bench, he should not have done it in this manner; but by a mode made to the House upon having before him the letter read at the Table of the House by the Irish Secretary. He should have moved, in the first instance, for the production of that letter. The hon. Member for Mayo, who has just spoken, will give me leave to ask him, and, if necessary, through you, Mr. Speaker, whether he can be in Order, upon a question of adjournment, to challenge the conduct of a Judge, without due notice, and describing him as nothing more nor less than a political and religious firebrand. I hope the hon. Member for Mayo will take an opportunity of withdrawing these words; for I certainly feel that expressions of this kind should not be allowed to be made without a distinct protest on the part of the House.

Mr. SPEAKER: I am bound to say that, in my judgment, the expression used by the hon. Member for Mayo was improper; and I consider that such an expression should be withdrawn. It appears to me that, when it is proposed to call in question the conduct of a Judge, the Member desiring to do so should take that Constitutional course which is laid down, and move an Address to the Crown.

Mr. O'CONNOR POWER: I gladly, Mr. Speaker, withdraw any expression which you, in the exercise of your authority, declare to be improper, and express at the same time my regret at making use of it. If I had been afforded an opportunity of going briefly into the history of Mr. Justice Keogh, I think that the epithet which I applied to him would not, perhaps, have excited so much opposition. I might have quoted the testimony of one who was Lord Lieutenant of Ireland; who, when certain words of Mr. Justice Keogh were once brought under his notice, said he had never heard anything which formed so distinct a recommendation to assassination as the words which Mr. Keogh used when he was utilizing the religious and political feelings of the Irish people in order to obtain a seat in this House. When he had obtained a seat, and when the Government offered him a reward, which he knew could only be the prize of his abandonment of his religious and political principles, he took it. Under these circumstances, and having regard to the many scandals which have arisen in connection with the administration of justice for which Mr. Justice Keogh is responsible, I rose for the purpose of saying that the hon. and learned Member for Louth (Mr. Sullivan) was justified in the course he has taken.

Mr. MACARTNEY: I rise to Order. I venture to ask you, Mr. Speaker, whether it is competent for a Member of this House to say of one of the Judges on the Bench that he was the cause of scandal?

Mr. O'CONNOR POWER: I am afraid those who appear anxious to proceed with the ordinary Business are not going the right way to achieve their purpose. It is not my intention to speak at any length, as I shall take an early opportunity of proving every one of the accusations I have made, and then we shall see whether Mr. Justice Keogh is prepared to explain them.

Mr. SPEAKER: If it is the intention of the hon. Member to make a Motion bearing upon the conduct of Mr. Justice Keogh, this discussion is certainly most irregular.

Sir ROBERT PEEL: I wish to say one word. This morning I was in possession of a letter from Mr. Justice Keogh, in which he declares that he is perfectly prepared to meet the charges made by the hon. and learned Member for Louth (Mr. Sullivan), and if the hon. Member (Mr. O'Connor Power) brings, as he says he intends to do, the case of Mr. Justice Keogh before Parliament, I am quite convinced there are many others, besides myself, who will be prepared to justify that distinguished Judge, and to do him that honour which he fully deserves, and show the honourable position which he holds in the feelings of the people of Ireland.

Mr. SULLIVAN: I beg to withdraw my Motion. I should not have made the observations which have fallen from me if the document of Mr. Justice Keogh had not been read at full length. I had not the remotest idea of raising a debate; but when a letter like that is read, which raises controversial matters, and which is so calculated to prejudice public opinion inside and outside the House, I felt it my duty to call attention to it.

Motion, by leave, *withdrawn*.

COPYRIGHT AND DESIGNS ACT—MARKS ON CHINA AND POTTERY.

QUESTION.

Sir CHARLES RUSSELL asked Mr. Chancellor of the Exchequer, Whether, having regard to the frauds constantly committed by forged marks upon china, Her Majesty's Government will place itself in communication with Foreign Governments in order that manufacturers of porcelain or pottery may be compelled to place some distinctive mark thereon?

The CHANCELLOR of the EXCHEQUER, in reply, said, if the hon. and gallant Baronet would place himself in communication with the Board of Trade, attention would be paid to the subject.

GREECE AND CRETE.

QUESTIONS.

Sir CHARLES W. DILKE asked the Under Secretary of State for Foreign Affairs, Whether it is true that a Consular Officer has been sent from Salonica on a special mission to Epirus and Thessaly; whether he has had any communication with the insurgent chiefs; whether any Report which he may make on the state of affairs in those provinces will be laid upon the Table of the House; whether Mr. Sandwith, along with the Consuls of other Powers, has intervened in Crete, and arranged an armistice between the Insurgents and the Ottoman Forces; and, if so, whether the text of the armistice and the Report by Mr. Sandwith will be laid upon the Table; and, whether Her Majesty's Government possess any information as to the reported release of Mussulman malefactors from the prisons of Janina and Larissa for the purpose of organizing incursions by brigands into Greece?

Mr. BOURKE: It is true that a Consular officer has been sent from Salonica to report upon the condition of the Provinces of Epirus and Thessaly. The mission, however, is not of a political character, but is only sent to obtain information. We have not heard whether Mr. Sandwith, the Consular officer referred to, has had any communication with the insurgent chiefs. His Report has not yet reached Her Majesty's Government, and until it has it is impossible to say whether it can be laid before Parliament. Mr. Sandwith was directed to offer his good offices between the authorities of the Porte and the insurgents. He has done so, and there is no doubt that, owing to his good offices, an arrangement has been come to between the insurgents and the officers of the Porte; but I have not heard whether any regular armistice has been concluded. We have not yet received his Report; but when it does come, no doubt it will be laid upon the Table with the rest of the Papers. We have heard from the Consul at Crete that the Turkish garrison and the Turkish governor have gone over to the insurgents, and we have also heard that there is no part of the interior of the Island of Crete that can now be said to be under the authority of the Porte. Her Majesty's Government have heard from the Greek *Chargé d'Affaires* that the malefactors referred to in the last Question of the hon. Baronet have been released. That report is confirmed by a Report of the Consular officer in Greece; and Her Majesty's Ambassador at the Porte has been instructed to remonstrate with the Porte upon the subject.

Mr. BAXTER asked, If it is true that a Provisional Government has been formed in Crete; and that, with the exception of two or three walled towns, the whole Island is in the hands of the insurgents?

Mr. BOURKE, in reply, said, the Government had heard a statement to that effect from a London source, and the report had been somewhat confirmed on inquiry by our Consular officers in Crete. Her Majesty's Minister in Greece had been instructed to inquire and report.

PRIVATE BILLS—BRADFORD TRAMWAY COMPANY.—QUESTION.

Mr. W. E. FORSTER asked the Secretary to the Treasury, Whether, under the special circumstances, the Treasury have consented to remit the deposit of the Bradford Tramway Company; and, whether they have laid down any, and, if so, what general rule with regard to the forfeiture of deposits?

Colonel STANLEY, in reply, said, the Treasury had, in the special circumstances of the case, consented to remit the deposit of the Bradford Tramway Company. For the future the Board of Trade and the Treasury had determined only to remit the forfeiture of deposits in very special circumstances, so as to give effect to the intentions of Parliament as indicated in the Amendment made last year in Standing Order No. 158, Clause B; but somewhat less stringency would be exercised in dealing with deposits made before the alteration of the Order than in dealing with those made after. It was proposed to secure due publicity for the change of practice to be adopted, by inserting a special form of words in Bills of this Session remitting forfeited deposits, by advertising in *The Gazette*, and by sending a Circular to agents having Bills this Session, warning them that deposits made this Session would not be treated with leniency.

THE EASTERN QUESTION — RUSSIA AND TURKEY—TREATY OF SAN STEFANO.—QUESTION.

MR. COURTNEY asked Mr. Chancellor of the Exchequer, Whether the Russian Government has communicated to the signatory Powers of the Treaty of Paris individually the Treaty of San Stefano; whether it is admitted by the Russian Government that each Power represented at the proposed Conference or Congress may initiate a discussion on any Clause of the Treaty of San Stefano in its relation to the Treaty of Paris, and invite the opinion of the Conference or Congress on the point; and, whether Her Majesty's Government have stipulated that the Treaty of San Stefano shall be communicated to the Powers assembled collectively?

THE CHANCELLOR OF THE EXCHEQUER: The Russian Government has communicated to Her Majesty's Government, and, I believe, to the other signatory Powers of the Treaty of Paris, the text of the Treaty of San Stefano; and, I may add, that it will be laid upon the Table of the House to-night. With respect to a Question which has been asked, or Notice of which has been given, as to the maps, they also will be laid upon the Table; but I do not think they will be in the hands of hon. Members quite so soon. It is hoped, however, that they will be delivered to-morrow morning. With respect to the other Questions of the hon. Member, I hope that the hon. Member and the House will understand that I mean no kind of disrespect when I say that, relating as they do to matters of great importance, the communications as to which have not yet come to a close, I do not think it is expedient that I should answer them.

MR. GATHORNE HARDY: With respect to the maps referred to by my right hon. Friend, I may say that I gave directions that the large map should be marked with lines showing the boundaries contemplated by the Treaty of San Stefano, and that that has been done.

THE EASTERN QUESTION—THE DALMATIAN FRONTIER.—QUESTION.

MR. W. H. JAMES asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have received any recent Despatches with respect to the state of affairs in Bosnia and on the Dalmatian frontier; and, if so, whether they may be laid upon the Table without inconvenience to the public service?

MR. BOURKE, in reply, said, that despatches on the subject referred to had been received; but he did not think they could be conveniently, in reference to the public service, laid upon the Table of the House at present.

CIVIL SERVICE ESTIMATES (SUPPLEMENTARY)—CLASS I., VOTE 4—THE CLOCKMILL ESTATE.—QUESTION.

SIR WINDHAM ANSTRUTHER asked the First Lord of the Admiralty, Whether he has any reason to suppose that the Crown Agent for Scotland was employed in relation to the purchase of the Clockmill property?

MR. W. H. SMITH: Sir, I must apologize for a slight inaccuracy of expression in the remark that fell from me in regard to this property when the Estimates were under discussion. I should have spoken of the solicitor in Scotland of Her Majesty's Woods and Forests. It was the solicitor who was employed in the negotiations that were carried on.

PRIVATE BILL BUSINESS.

QUESTION.

MR. THOMSON HANKEY asked Mr. Chancellor of the Exchequer, If the time has not arrived when the Public Business may commence at a quarter-past Four o'clock, seeing the advanced state of the Private Bill Business of the House?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, it was an unusually early period of the Session to make the change referred to by the hon. Member, and he did not think the Private Business of the House was so far advanced as the hon. Member seemed to believe. It would be more convenient not to make the change suggested until after Easter.

SPAIN—SLAVERY IN CUBA.

QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for Foreign Affairs, Whether he has received any information as to the intentions of the Government of Spain with reference to the abolition of slavery in Cuba; whether the Moret Law has been or is now considered to be in operation in the island; and, whether there is any reason to believe that the measures for abolishing slavery in Porto Rico will be introduced into Cuba?

Mr. BOURKE, in reply, said, that more than a year ago the Government heard in an informal manner from the Government of Spain, that it was their intention to abolish slavery in Cuba; but since then they had heard nothing further on the subject.

FOUNDERING OF H.M.S. "EURYDICE."

QUESTION.

Mr. GOSCHEN: I wish to ask my right hon. Friend the First Lord of the Admiralty, Whether he has received any further information with regard to the terrible disaster which has happened to Her Majesty's ship "Eurydice" beyond that which was published in the morning papers, and which has caused such universal sorrow throughout the country?

Mr. W. H. SMITH: I am sorry, Sir, that I cannot add much information to that which the country already possesses through the Press. The disaster has been a most mournful and startling one. The ship was returning home after a most useful and, as we thought, most successful cruise in the West Indies. She had arrived at the Isle of Wight, and was suddenly struck by a squall and went down. I have received from Admiral Fanshawe, the Commander-in-Chief at Portsmouth, a telegram dated March 25, in which he says—

> "In reply to telegram 2 of this date, I have further to report, in addition to former telegrams, that Admiral Foley has returned from wreck of *Eurydice*, and reports that he found mainsail sheets let go, as well as maintopsail halyards, starboard foretopsail sheet, and starboard topgallant sheets let go; topmast studding-sail in the act of being taken in. He is of opinion that men were on deck in the act of shortening sail. Everything seems to have drifted over to French coast. Shall I communicate with Consuls, or communication be made by Admiralty? A light vessel and buoys placed at wreck, and every precaution taken. Men clearing wreck, and in time propose taking her into Sandown Bay."

I am sorry to say that neither bodies nor men have been found in addition to those who have been picked up, and at the present moment all we can hope is that the two men who are at Bonchurch Hospital will recover. I have received a telegram from the hospital this afternoon to say they have recovered so far as to permit their leaving the hospital this afternoon, and I hope they will be in London to-morrow. I may add, Sir, that the *Eurydice* was an old 26-gun frigate of 921 tons. She was built by Admiral Elliot, and was commanded by his son, the present Admiral Sir George Elliot, and subsequently by Captains Ommanney and Tarleton in the West Indies. She was repaired and fitted out as a training-ship for ordinary seamen, and commissioned for that purpose in February, 1877, by Captain Hare. Her armament had been reduced from 26 guns to only two 64-pounder guns. She carried the same ballast as on former commissions, a large proportion of water —117 tons as against 102 tons—and her rig was the same as formerly. Her draft of water was 16 feet 6 inches, as against 16 feet 4½ inches formerly. It may be interesting to the House to know that the officers were specially selected for their competency and skill. The commander, Captain Hare, had been previously in command of the *Boscawen*, the training-ship for boys at Portland. Lieutenant Tabor had had much experience in sailing ships. He had been lieutenant of the *Narcissus* when flagship of the Flying Squadron, where most of the work was done under sail. He was afterwards first lieutenant of the *Cruiser*, training-ship for ordinary seamen in the Mediterranean, in which ship he served for three years and a-half. The other lieutenants were all selected for their promise as good officers. The crew consisted of the proper complement of officers and petty officers, who were permanent, and it was completed by as many ordinary seamen as she could carry, making in all about 300. Her complement formerly was 225. The ship had been on a cruise round the West Indies. She left England in November, 1877, so that her crew had been well practised in handling her. The wreck lies in 11 fathoms water, two miles and a-half E.N.E. from Dunnose—that is to say—off Sandown, Isle of Wight. From the examination made, it is concluded that the crew were shortening sail when the accident happened, as the fore and main sheets were found let go, as well as the topsail halyards, and the studsails were partly taken in. I can only echo the expression of deep sorrow which has fallen from my right hon. Friend, and say that a greater disaster has scarcely ever befallen the British Navy since the unfortunate accident to the *Captain*.

PUBLIC PETITIONS.

PARLIAMENT—PUBLIC PETITIONS COMMITTEE—FICTITIOUS PETITIONS.

REPORT. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [21st March], "That the Special Report do lie upon the Table."

And which Amendment was,

> To leave out from the word "Report" to the end of the Question, in order to add the words "be referred back to the Public Petitions Committee, and that they inquire into the circumstances connected with the Petitions mentioned in the said Report, and make a Report thereupon to the House,"—(*Mr. Meldon,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

SIR WILFRID LAWSON said, that as he moved the adjournment of the debate last Thursday, he would remind the House of what the Question before it was. An Amendment had been proposed to the Motion that the Special Report of the Public Petitions Committee do lie on the Table, and that Amendment was—

> "That the Report be referred back to the Public Petitions Committee, and that they inquire into the circumstances connected with the Petitions mentioned in the said Report, and make a Report thereupon to the House."

Now, it appeared to him that the question involved in this matter was a most important one. Two different views of Petitions might be taken. One view might be that they were altogether worthless, and to be considered as nothing more than waste paper. He was not going to take that view of the matter, though he did not say that it might not be attended with great convenience, and save a good deal of trouble. Moreover, if it were desirable that the House should take that view, they would know exactly where they were. But, on the other hand, it seemed to him that if they were to have Petitions sent to that House at all, they should secure that they really were what they professed to be. He thought that there were good grounds why the Petitions in question should be referred back to his hon. Friend the Member for Walsall (Sir Charles Forster) and his Committee, that they might make a further investigation into them. He would simply content himself with stating the facts which, he believed, could be proved if these Petitions were referred back to that Committee. In the Special Report, 12 Petitions from Dublin were reported upon; but there were in all 120 of these Petitions, which, he believed, upon inquiry, would be found to be mainly in the same handwriting. That was a strong fact to begin with. But, in addition to the Petitions presented from Dublin, there were 17 from Naas, the signatures to which would be found to be in a similar handwriting to that in which those affixed to the Dublin Petitions were. Then these Petitions were devoid of addresses. It was found that there were 93,000 names appended to these Petitions which purported to come from Dublin, and of that number there were only about 500 which had any addresses at all opposite to them. Now, out of these 500 names to which the addresses were appended, inquiries had been made into 39 of them, taken at random; and the result had been that no less than 22 had been found to be cases of forged or fictitious addresses. That was a pretty strong fact. But the remarkable thing was that there were 93,000 signatures to these Petitions from Dublin, and, according to the Census of 1871, there were only 79,000 male inhabitants in that city. But, besides that, there were another 25,000 persons who had given their addresses, but who had petitioned in the contrary way, which made the number of 93,000 even more extraordinary than it at first appeared; and when they remembered that there must be a great number of people who could not write, it became still more extraordinary. These were the facts upon which he grounded his support of the Amendment that these Petitions should be referred back again to the Public Petitions Committee. But he did so upon this further ground—that this was a most important and peculiar case. It was one, where, perhaps, it was more necessary than in any other that they should have a strict investigation into this matter; because these Petitions had been presented in reference to a Bill on which public opinion had been challenged. The opponents of the Bill in question told that House last Session that they believed the public opinion of Ireland was against it, and that if they had time they would take means to prove that statement. The House knew that there were only three important ways in which the state of public opinion could be arrived at. One was through the Press, another through the agency of public meetings, and the third by means of Petitions presented to that House. With respect to the Press, he found that there were only two daily papers in Ireland which were against this Bill, while all the others were in favour of it. As to public opinion, as expressed by public meetings, their opponents had been able to hold only 8 or 10 such meetings in all Ireland; whereas, as many as 100 had been held in favour of the measure. Now, it should be remembered that this was not the first time that a question of this kind had arisen. Three years ago a similar matter was brought before the House, and his hon. Friend the Chairman of the Public Petitions Committee (Sir Charles Forster) then told the House that there had been great irregularity, although they did not think they would be warranted in proposing to the House the adoption of any strong measure on that occasion. Under all the suspicious circumstances of the present case, it was due to the House, and still more to hon. Gentlemen who opposed the Bill, that these Petitions should form the subject of further inquiry. He was quite sure that those hon. Members who had based their case upon them would be the first to support the Amendment.

THE CHANCELLOR OF THE EXCHEQUER said, he would venture to say a very few words upon the subject. It seemed to him that it was of the highest importance to that House that they should guard, in every possible way, the right of petitioning; and certainly nothing could be more important towards guarding that right than the exercise of proper vigilance to prevent it being abused, and the right of petitioning itself suffering from the abuses to which it might be exposed. Now, undoubtedly, the Committee on Public Petitions had only reported to that House two cases of forgery out of a very large number of signatures; but, still, it was not always easy to discover the cases at first sight, and it was quite possible that there might be reasons why there should be a more full investigation into the circumstances connected with these Petitions. Under these circumstances, and considering the importance of not appearing to trifle with what was a most serious offence—namely, attaching false signatures to a Petition—he thought that the House would do well to assent to the Amendment, in order that the Committee, if they were willing to undertake the duty, might inquire into the circumstances connected with these Petitions, and make a Report upon them.

MR. GOLDSMID said, he should like to know why they should depart, in this instance, from what he understood was the usual practice with reference to Petitions to which were attached signatures that were not genuine. He understood that the more usual practice was to discharge such Petitions. As only two signatures out of 686 had been found to be forged, he did not think it was desirable that a Public Committee of that House should be charged with a roving commission to inquire into the genuineness of a large number of signatures. If it were proved to the satisfaction of the House that even one signature had been forged, he thought that by far the simpler plan would be, as he had said, to discharge the Petition. Because, if the Committee were to sit to inquire into this matter, they would be asked to hear a very large amount of evidence, and thus a considerable portion of the Session would be consumed in a futile investigation. He did not think that the House ought to allow such a battle as that of Sunday closing in Ireland to be fought out upon Petitions in a Committee upstairs. Again, he would ask whether the more usual practice was not to discharge the Petition by rescinding the Order that it do lie upon the Table?

MR. O'SULLIVAN remarked that, on the part of the opponents of the Bill, he was prepared to support the Amendment on condition that all Petitions, both for and against the measure, were inquired into. He would show the House that it was not alone to Petitions against the Bill that fictitious names had been signed, but to Petitions in favour of it. He held in his hand affidavits to prove that people whose names appeared to the latter had never signed them. He found from the Report that there were two names which appeared to have been forged out of 96,000. But the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) had told the House that there were 22 forged and fictitious names. The hon. Member had, however, mixed up the 20 that were fictitious with the two that were forged, and had thus made it appear to the House that there were a large number of forgeries. He thought it would be very unfair if the House, by its Committee, were only to inquire into the Petitions against the Bill, and not into those for it. He need not tell the House, in reference to Petitions emanating from a large city like Dublin, and laid out, it might be, in 15 or 20 different places, how easy it would be for any smart man to go and put down any names he wished on these Petitions. And, perhaps, the House was not aware that the advocates of Sunday closing had most of the smart men in Dublin in their employment. Not that he said they would send a man specially for that purpose; but he was himself surprised that the names of the Lord Chancellor, the Lord Lieutenant, and even of the Recorder, were not put down against the Bill. He would tell the House what he knew of a Petition which had come from his own neighbourhood. He knew as a fact that a Petition had come from his neighbourhood signed in the names of two children, one being an infant in arms, and the other being only four years old. Yet those two names were signed in favour of this Bill. He would ask the hon. Baronet and the House whether they considered that a case of forgery? It was not fictitious, for the children were there; but one was 12 months and the other four years old, and they were both put down as students. He had seen another Petition from his own neighbourhood, and he knew there were certain signatures to that of persons who could neither read nor write. A lady who had put her name down, when asked why she had done so, replied that a man came and continually annoyed her, and at last she told him that she could not write, thinking to get rid of him, whereupon he said he would write the name for her. Another man, who had been very much annoyed by being asked to sign a Petition in favour of the Bill, had said in excuse that he would rather sign nine times than submit longer to these impertinent people. He knew how a great many of these Petitions were got up—it was by people who belonged to the Moody and Sankey class. A Petition had been sent to a school in his county, and a large number of signatures were got up in favour of it; but upon inquiry he found that, although it was supposed nobody under the age of 16 signed the Petition, yet 60 per cent of those above that age in the school could not write their names. No doubt that was a strange statement to make, and he confessed he was ashamed of it; but he could prove every word of it. It was for such reasons as these that he asked the House to refer the whole of this question to the Committee, and not merely one side of it. He wanted both sides to be dealt fairly with. They had heard about the Dublin Petition, and he held in his hand two affidavits, duly stamped, in reference to that Petition. The following were copies:—

"County of the City of Dublin, to wit—I, Patrick Flood, residing at 2, Queen Street, in the city of Dublin, shopkeeper, do solemnly and sincerely declare that, to the best of my recollection, about the 1st of February, 1878, a man called at my shop with a Petition in favour of the Bill at present before Parliament, known as the Irish Sunday Closing Bill, and requested me to sign the same. I say I peremptorily refused to do so, and ordered the man to leave my shop. I say I have been informed and believe that my name appears as one of the signatories to the said Petition. I positively say I never signed any Petition in favour of the said Bill, and that I never authorized any person to do so on my behalf. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the sixth year of his late Majesty, &c., PATRICK FLOOD. Made and subscribed before me, a justice of the peace for the said county, at 30, New Road, this 24th day of March, 1878.—H. O'RORKE, J.P.

"County of the City of Dublin, to wit—I, Patrick Timmons, residing at 35, Bridgefoot Street, in the city of Dublin, shopkeeper, do solemnly and sincerely declare that I never signed any Petition in favour of the Bill at present before Parliament, known as the Irish Sunday Closing Bill, and never authorized any person to do it on my behalf. I am informed and believe that my name appears as a signatory to a Petition in favour of the said Bill. I believe my name was signed thereto by my wife, Margaret Timmons, but the same was done contrary to my wish and without my authority. And make this solemn declaration, conscientiously believing the same to be true, &c.—PATRICK TIMMONS (⋈), his mark. Made and subscribed before me, a justice of the peace for the said county, at 30, New Road, the 24th day of March, 1878.—H. O'RORKE, J.P."

The Committee on Public Petitions had reported that there were only two forgeries out of 90,000 names in the Petition against the Bill, and he thought that fact did not afford sufficient ground for referring the Petition back to the Committee. At all events, it would be most unfair if there was to be inquiry into the character of Petitions on the one side, and they were not to have inquiry into the Petitions on the other. He courted the most public inquiry into the whole matter.

SIR WILLIAM FRASER considered that much of the responsibility in this case rested with the hon. Members who presented the Petitions. An hon. Member presenting a Petition need not necessarily join in the prayer of it; but when there was any apparent exaggeration in connection with the signatures appended to the Petition, he ought to take some responsibility in regard to it.

SIR CHARLES FORSTER said, what the Committee on Public Petitions desired to do was to carry out the views of the House; and, therefore, if this Motion was agreed to, and the Petition remitted back to the Committee, they would be prepared to undertake the duty assigned to them. It had been said that the proper solution of this question would have been to have proposed to discharge the Order for the Petition to lay upon the Table; but the Committee, in the first instance, were restrained from taking that course, because, in spite of a few forgeries, the Petition was otherwise very largely signed. The Committee were quite alive to the importance of suppressing fictitious Petitions; and although, as the matter originally stood, they did not think it right to propose to take any further action, yet if the House now entertained a different view, the Committee would willingly carry out any wishes which they might express.

SIR JOSEPH M'KENNA said, it was very desirable, in order that the people of Ireland might be kept right in regard to this matter, that the whole of the Petitions—and not those merely referring to one side—which had been presented during the present Session, should be referred to the consideration of the Committee. He would not go so far as to say that they were to examine into the whole of the Petitions; but if the whole of them were referred to the Committee, they could exercise their discretion and deal with those which it appeared desirable to investigate.

MR. SULLIVAN said, the argument that the Petitions of both sides should be referred to the Committee seemed, at first sight, very equitable; but, upon consideration, it would be found that there was no argument to support it. What might fairly be asked was, that all Petitions which the Committee had reported as being irregular should be sent back to them; but this proposal went beyond that, and asked that Petitions, in reference to which the Committee had made no Report at all, should be referred back to them. The hon. Member for Limerick (Mr. O'Sullivan) had said a good deal which would, no doubt, be excellent information for the Committee, and might induce them to report against other Petitions; but as yet the Committee had not so reported. It had been stated that there were only two forgeries out of the 90,000 signatures. It should, however, be remembered that there were only 500 addresses set forth, so that in the rest of the cases they could make no specific inquiry. What they did was to take at random 32 of these names and addresses, and out of these they found two absolute forgeries, and irregularities as regarded the others. If they were to go over the whole 500 names having addresses, he had no doubt they would be able to satisfy his hon. Friend that there had been a large manufacture of signatures. He spoke a little sorely on this subject, because his own name had been forged to a Petition against the Bill, together with the names of some 30 to 40 other advocates of Sunday closing in Ireland. The signature of his own name by the promoters of these anti-Petitions was certainly no oversight, though the Secretary of the Dublin Licensed Victuallers' Association had come forward and stated in a letter to the newspapers that a Mr. Andrew M. Sullivan had signed the Petition. Unfortunately, however, for his friends, the A. M. Sullivan who signed the Petition put M.P. after his name. The names of Mr. Alderman M'Sweeney, and other prominent public supporters of Sunday closing, were also forged to the Petitions against the Bill. Let the House remember that they had only appealed to them as a last resort; because this was not the first, or the second, but it was the third occasion when this kind of thing had happened; and they now asked that an effort should be made to find out who the parties were who had been committing such a breach of the Privileges of the House as that of manufacturing signatures to Public Petitions.

MR. MACARTNEY, said it appeared to him that difficulties of this kind would arise whenever a great public question was before the country, and the best way would be to require in future that there should be appended the address of every person who signed a Petition. In this particular case, the large proportion of signatures had no addresses attached to them; and he believed it would be very useful if the Committee were to recommend some such alteration as that which he had just suggested. The hon. Member (Mr. O'Sullivan) had said that some person signed the Petition because he wished to get rid of the man who solicited him. That reminded him of the Irish lady who, after being proposed to 17 times, accepted her suitor for the purpose of getting rid of him.

MR. M. BROOKS desired to say a few words, because these Petitions had emanated from Dublin. He opposed the Bill to which they referred, and he told the House, if they wished to maintain an attitude of total impartiality, they must not be content with sending back the Petitions of one side, but must remit, also, those which had been presented on the other. The working men of Dublin conceived that this Bill was intended to restrict their liberties; and great dissatisfaction would be created if the character of the Petitions which had been presented in favour of the measure was not investigated as well as that of the Petitions which had been presented against it. Being in favour of an impartial and full investigation, he should like to move an Amendment that all the Petitions on the subject of the Bill should be referred to the Committee.

MR. SPEAKER wished to point out that there was an Amendment now before the House, and until that was disposed of, it would not be competent for any other Amendment to be proposed.

MR. RYLANDS thought it would be extremely unfortunate if this question was considered simply as regarded Petitions in favour or against a particular Bill. The House ought to consider the matter upon entirely different grounds. In this case, there was no doubt the Privileges of Parliament had been infringed, and it might have occurred in reference to other questions than that of the closing of public-houses in Ireland on Sundays. The Committee on Public Petitions had reported that a Petition had been presented which contained certain forgeries, and it would not be consistent with the respect due to themselves, or to the Privileges of Parliament, if they were to allow a Report of that nature to pass without some notice. Let them deal with the question entirely apart from the Irish Sunday Closing Bill, or any other Bill. It was a question which involved principles far beyond Sunday closing in Ireland; it affected the due expression of public opinion in this country on every subject; and if they were to allow such irregularities as these to occur, they would interfere with one of the most important Privileges of the House. If the Committee, acting within their province, could recommend any course which would prevent a recurrence of these irregularities in future, he hoped they would do so. The hon. Member for Rochester (Mr. Goldsmid) seemed to think the affair was a trivial one; but he (Mr. Rylands) considered a very grave offence against Parliament had been committed, and that it was not sufficient to remove the Petition merely from the Table. They must endeavour to make people more careful as to the way in which they got up Petitions. He believed he should be supported in saying that whenever there was a large agitation in connection with any public question, the opponents of a Bill got up opposition Petitions at the instance of some wire-pullers in London and elsewhere. Now this was a danger which they were anxious to avoid in future, and it was most important that they should endeavour to protect this great right on the part of the people.

MR. FORSYTH said, the House ought to confine its consideration to those Petitions respecting which the Committee on

Public Petitions had made a report. The hon. Member (Mr. O'Sullivan) had read two affidavits not referring specifically to those Petitions, and on those affidavits he had urged that all the Petitions for and against the Bill should be referred to the Petitions Committee. It seemed to him that this would be imposing upon the Committee a very heavy and serious responsibility; and he thought the proper course for the hon. Member to adopt would be to move that the Order relating to the Petitions to which the affidavits referred be discharged, on the ground that they contained forgeries.

Mr. W. E. FORSTER said, it seemed to him they ought to consider the question immediately before them, and not enter into a discussion of other matters. The Committee had reported that there were forgeries in two Petitions; and, as regarded 10 others, a certain number of addresses were either such as did not exist, or were not the addresses of the persons they purported to be. The question was, whether they should be content with this Report, and take no further action; or, whether they should agree to an Amendment which had been moved, that the matter should be referred back to the Committee for further consideration? He confessed that, to his mind, a case for further reference had been made out; because this subject affected the whole question of whether future Petitions were to be looked upon as worth anything or nothing. These Petitions purported to be signed by 90,000 working people in Dublin; whereas the whole total male population of that city, he understood, was only 70,000, and it was known a considerable number of these had already petitioned in favour of the Bill. This was an allegation which pointed to a very large number of fictitious signatures; and it seemed to him that if they were to consider Petitions as expressing any opinion at all, sufficient had been said to prove the importance of sending the Petitions under consideration back to the Committee for a further inquiry and Report. As he understood the matter, the Committee had not, up to the present, gone into the particular allegation of forgery which was levelled against these Petitions. But, then, some hon. Members wished the House also to remit for inquiry certain other Petitions to which, as they said, fictitious signatures had been appended. There could be no doubt that inquiry as to such Petitions would be perfectly proper if they stood in the same position as the Petitions concerning which the Committee had already made a special Report. But they did not; and until the Petitions Committee reported, in reference to the second set of Petitions, the House could not, in his opinion, take any action in regard to them.

Question put, and *negatived.*

Question proposed,

> "That the words 'be referred back to the Public Petitions Committee, and that they inquire into the circumstances connected with the Petitions mentioned in the said Report, and make a Report thereupon to the House,' be there added."

Mr. M. BROOKS said, there was some fallacy lurking in the minds of hon. Gentlemen as to the way in which the Dublin Petitions against the Bill had been got up and signed, and also as to the persons whose names were appended. It seemed to be forgotten that there was a county as well as a city of Dublin, and that the Petitions emanated not from the city alone, but from the whole of the metropolitan district, which included Kingstown, Rathmines, Pembroke, and other smaller places. He would, therefore, move to amend the Amendment, by adding the words after the word "Report"—

> "And all other Petitions presented to the House during this Session for and against the Sale of Intoxicating Liquors on Sunday (Ireland) Bill."

The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had stated that there would be good ground for urging that the Petitions in favour of the Bill should be referred to the Committee when *primâ facie* grounds had been made out in support of the statement that they bore forged or fictitious signatures. Was the right hon. Gentleman aware of the fact that two affidavits had been read to prove what he desiderated as a preliminary to inquiry was actually the fact? In addition to that, he had himself received innumerable complaints from residents in Dublin, to the effect that their names had been apended to the Petitions without their consent.

Amendment proposed to the proposed Amendment,

To insert, after the words "the said Report," the words "and all other Petitions presented to the House during this Session for and against the Sale of Intoxicating Liquors on Sunday (Ireland) Bill."—(*Mr. Maurice Brooks.*)

Question proposed, "That those words be there inserted."

MR. O'CLERY said, the hon. Member for Dublin (Mr. Brooks) had urged in support of his Amendment the fact that the signatures to the Dublin Petition against the Sunday Closing Bill, were not confined to the city, but included the county and the whole metropolitan area. He thought it would be in the recollection of the House, that when the hon. Member presented the Petitions, he claimed for them that they were solely signed by the working men of the city of Dublin. He would remind the House that, according to the Census of 1871, the whole male population of Dublin over the age of 15 years, including the soldiers in the garrison, was only 70,000; yet it was said that over 90,000 signatures of males were appended to the Petitions presented to the House by the hon. Member for Dublin. They had been told, over and over again, that the Irish people were opposed to the Sunday Closing Bill; but if the feeling of the people was to be judged by the so-called working-men's Petition from Dublin, there could be little doubt concerning it. He was, however, inclined to think, after all, that it would be the better course for the House to discharge the Petitions, and pass the Bill in the present Session, than to put extra work upon the Petitions Committee by referring the Petitions back to them.

THE O'CONOR DON said, he could not understand the grounds on which the hon. Member for Dublin had moved his Amendment; because the Motion before the House had no particular reference to the Sunday Closing Bill, but related simply to certain Petitions concerning which the Committee had made a special Report. The question really was whether certain Petitions, with regard to which the Committee had reported that forgery had been committed, should be further inquired into or not, and this had no connection with any particular Bill before the House. The hon. Member for Limerick (Mr. O'Sullivan) had mentioned the case of another Petition to which certain forged signatures had been appended. Why, instead of mentioning the fact now, did not the hon. Member bring the circumstances to the knowledge of the Committee on Petitions? If he did this, and the Committee were of opinion that the case was one for a special Report, he had no doubt they would make such Report and that the House would at once deal with it. As far as he was concerned as one of the promoters of the Sunday Closing Bill, he should have no objection to the fullest possible investigation with regard to any or all of the Petitions; but the Petition should be first reported against before the House would deal with it.

MR. WHEELHOUSE assured the House of Commons that, if this proposition were agreed to as it stood, the idea would necessarily go forth, both in England and Ireland, that something approaching to injustice would be the result. So far as he could understand the matter, it was now quite rightly proposed by the hon. Member for the city of Dublin (Mr. Brooks) that the whole case—or both sides—should be fully heard and investigated. He ventured to say, moreover, that the proposition made by the hon. Member for Carlisle (Sir Wilfrid Lawson) was got up by what he might call "The Teetotal Anti-Petition Party." He disagreed with the statement that this movement had emanated from the wage-classes of Ireland, either as expressing their wishes, or as having any spontaneity about it; for they must all be aware—at least he cared not who knew it to be his (Mr. Wheelhouse's) firm conviction—that this movement was one got up nearly, if not absolutely wholly, by Teetotalers and Sabbatarians, and that the entire thing emanated from a certain class of people who held Teetotal views. Besides, it was perfectly well known that, on certain occasions, there were men who were engaged, day by day, occasionally, in obtaining signatures to Petitions such as those in favour of this Bill, who, having possessed themselves of a tub or a barrel—he did not know which they called it in Ireland—pens, ink, and paper, were paid a certain sum for their day's work, or for the number of signatures appended. He, therefore, was convinced that, unless the whole of this matter, on both sides, was fully presented to the notice of the Legislature, the idea he had named would not only go forth, but would be alike strongly and correctly entertained by the public at large. All he wished and all he said was, let the Petitions on both sides be examined, and then they would see the precise value of this kind of petitioning—or rather, of a fashion, which came very close to something that might be called "manufacturing Petitions."

MR. DODSON said, the hon. and learned Member for Leeds (Mr. Wheelhouse) entirely misapprehended the question before the House, which had nothing to do with the merits *pro* or *con* of the Irish Sunday Closing Bill. The question was simply whether a Report of the Committee on Public Petitions should or should not be referred back for further inquiry. The Committee had already presented a Report; but it appeared to him, as to many other hon. Members, that further information, which could only be obtained by means of further inquiry, was necessary.

THE CHANCELLOR OF THE EXCHEQUER entirely agreed in the view of the right hon. Gentleman the Member for Chester (Mr. Dodson). The only object the House could have in view in referring the matter back to the Committee was to protect the Privileges of the House in the matter of Petitions, and not to raise in any way, either directly or indirectly, the question of the strength of Parties upon this particular question. In the course of the discussion, the hon. Member for Limerick (Mr. O'Sullivan) had brought forward an argument which, on the one hand, was a strong additional reason for referring the question back to the Committee, and, on the other hand, furnished matter for a further inquiry which it might be necessary to make. The two affidavits which the hon. Member had read to the House showed the necessity for further inquiry as to the matters already reported upon; because it showed, presumptively, that there had been forgery of signatures on both sides. If the hon. Member would bring the matter of his affidavits before the House in the proper and formal way, he had no doubt that the Committee would inquire into it; but the present was not the proper occasion for so doing. He would, therefore, suggest that the hon. Gentleman should consult with the Chairman as to the proper course to be taken, and he had no doubt that all he wished in the way of inquiry would be done.

MR. O'SULLIVAN said, that unless the Petitions on both sides were examined by the Committee, a feeling would inevitably arise that justice was not being done by Parliament on a question to which considerable importance was attached. He was perfectly well aware of the fact that some people were paid so much per hundred for signatures to a Petition; but he would ask the House to remember that whereas on the Motion of the hon. Member for Dublin they had only a verbal statement, in his possession was a sworn affidavit of two persons to state that their signatures had been appended to the Petitions without their consent. The House must also recollect that this was a piece of class legislation. ["Order, order!"]

MR. SPEAKER: It is right I should point out to the hon. Member that he should confine himself to the question before the House.

MR. O'SULLIVAN remarked, that he did not intend to go into the merits of the Bill.

MR. M. BROOKS said, that in view of the suggestion of the right hon. Gentleman the Chancellor of the Exchequer, he should withdraw his Amendment.

Amendment to Amendment, by leave, *withdrawn.*

Main Question, as amended, put, and *agreed to.*

Ordered, That the Special Report be referred back to the Public Petitions Committee, and that they inquire into the circumstances connected with the Petitions mentioned in the said Report, and make a Report thereupon to the House.

Power to send for persons, papers, and records.

ORDERS OF THE DAY.

MUTINY BILL.

(*Mr. Gathorne Hardy, The Judge Advocate, Colonel Loyd Lindsay.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Gathorne Hardy.*)

COLONEL HAYTER asked whether the Secretary of State for War would take this opportunity of stating the course he intended to pursue, with reference to the Bill? There were some points in it which required to be altered, while it contained clauses which had now become obsolete. One related to the billeting of the Guards in Westminster. That was entirely obsolete, seeing that there were two large barracks, and in all probability that system would not again be resorted to in that part of London. Then there were the clauses referring to the punishment of officers and soldiers for going out without leave. The clause which gave courts martial the power of inflicting corporal punishment on soldiers was contradicted by Clause 72, which said that no court martial could subject any soldier to corporal punishment. Two of the most important recommendations of the Royal Commission, which sat in 1869, had not been carried out; one was that the power of imprisonment given to commanding officers should be extended from seven days to 21 days, and the other was that cases of embezzlement which were not tried by the Civil Courts should be relegated to military tribunals. Last of all, there were cases of desertion. He would be very much gratified if the right hon. Gentleman the Secretary of State for War would inform the House as to the mode in which he intended to constitute the Committee for the revision of the Mutiny Act, and also what were the powers which would be entrusted to it?

MR. GATHORNE HARDY said, he had intended, on the postponement of the Preamble of the Bill, to have made the explanation now called for; but the present moment was quite as opportune. It would be remembered that last year Sir Colman O'Loghlen had called his attention to the necessity of revising the Mutiny Act, and the question had also been considered in the time of his Predecessor by the War Office, but no conclusion had been arrived at. It seemed to him an extraordinary objection to make, that the subject was not a proper one to be referred to a Select Committee, as the Bill must go through a Committee of the House; and, when it was appointed, what he proposed to do was to submit to the Committee, through the Parliamentary draftsman, the draft of an efficient and practical measure thoroughly sifted by the legal and military authorities. When revised by the Committee, it would then come before the House with the additional weight of their authority. It was quite true that in some respects the Mutiny Act did require revision; and, for one thing, he thought it very desirable that the Committee should take into consideration the best mode of dealing with the question of its annual renewal. There were many portions of the Act which did not require annual renewal. The points which had been adverted to by the hon. and gallant Member might also be fairly considered by the Committee. There was not, however, time for inquiry this year, as it was essential that the Bill should be passed by the 25th of April; and he appealed to the House, as there would be full opportunity at another time of bringing forward Amendments, to take the Bill this year without Amendment. For this reason, he had himself put down no Amendments, as he had thought that any Amendments which might be proposed by the War Department should go before the Committee, along with those which hon. Members might desire to make on their own account. Next year, after the Bill had been before a carefully-selected Committee, it could receive whatever discussion the House might think proper to give it, before coming to a conclusion, for the permanent government of the Army. The poaching clause was designed to prevent officers taking game wrongfully when they were located where it was preserved, even though they had certificates, and he did not think that clause exposed officers to any hardships; but this question, and the expediency of relegating trials for embezzlement to civil tribunals, might safely be left to a Select Committee. With regard to the question of deserters, that was one which must be carefully considered, and a Committee would be able to investigate the different forms which desertion took. He thought that the number of men who were at present imprisoned for offences which were not of a disgraceful character was excessive; and it would be an advantage if they could be sent to some useful employment, and kept, of course, under strict discipline, instead of being sent to prison. He trusted they might strike a Committee which would give satisfaction to the House, and to those most interested in the amendment of the Mutiny Act.

Colonel MURE remarked, that it was satisfactory to know that the Mutiny Act had at length engaged the attention of the authorities at the War Office. As far as he was aware, it had never been the practice to submit the provisions of an Act of Parliament for consideration to any other tribunal than a Parliamentary Committee. There was one point to which he wished to direct attention. The Commission, which in 1869 inquired into the subject of courts martial, recommended that when non-commissioned officers were reduced to the ranks, and subsequently, in consideration of their good conduct, re-instated in their former position, they should not forfeit any advantage they might have derived during the time they had been non-commissioned officers. That was a point which should receive attention, for one of the great difficulties with which they had to contend in the Army at present was to get good non-commissioned officers. Great consideration should also be given to all the provisions in this Bill which affected these officers. He wished to make an appeal to his hon. and gallant Friend the Member for Galway, who had an Amendment on the Paper. He understood that another Irish Member intended to move some 40 Amendments; but he hoped that it might turn out that he had been misinformed. He thought that the wisest course to pursue would be for the House to go into Committee at once and pass the Bill through, and defer the consideration and discussion of Amendments until the Act was referred to the Select Committee. He would, therefore, earnestly appeal to the hon. and gallant Member for Galway not to persevere with his Amendment.

Major NOLAN said, he could not withdraw his Amendment, as when he had done so on previous occasions the Government had ignored the question altogether. He was sure that before long the country would agree with him on the matter; and, therefore, as he should lose his chance if he did not bring it forward that evening, he could not adopt the suggestion of the hon. and gallant Gentleman.

Mr. O'CONNOR POWER thought before the Speaker left the Chair the House should be asked to realize the position in which those who desired to oppose the Bill were placed by the present stage of the Bill. An hon. Friend who desired to offer some Amendments was told the other night at the Table that he could not put them down, as the Bill was not marked for Committee. Considering that the second reading was taken unexpectedly at 12 o'clock on Friday night, no opportunity had been offered for putting down Amendments. This was very much to be regretted; because those who heard the protracted discussions on the Mutiny and Marine Mutiny Bills last year must be aware that considerable feeling existed in the country as to the present state of the law for the punishment of soldiers and marines. The Secretary of State for War recommended that they should at once go into Committee, and then out of Committee to pass these Bills. He stated that in future the Bills would be left to a carefully selected Committee, and that the House was not expected at any time to go minutely into the character of these Bills, as they came from the hands of persons skilled in the working of martial law. He (Mr. O'Connor Power) could only say that the condition of the Mutiny Acts, as they had existed for the last 40 or 50 years, was certainly not calculated to inspire confidence in any persistency in what the right hon. Gentleman would call the dual course. They had found that any attempt to improve these Bills, except by full and ample discussion in the House of Commons, had not been successful. If they went into Committee, he should be inclined to propose 11 or 12 Amendments. So far as words went they were very simple; but they were all in the direction of those reforms which they called for last year, and which were resisted by the right hon. Gentleman. He did not intend to refer to the case of the military prisoner, whose sudden death after his release created such deep public feeling in Ireland. He observed that the morning papers expressed a hope that they had heard the last of the case, but they had not heard the last of it. When the hon. and gallant Member for Galway had an opportunity of calling attention to the subject, he would be able to show that it was a very serious case, and that the inquiry which took place with regard to the ill-treatment of M'Carthy, who was a military prisoner, could not be looked upon as a satisfactory inquiry. Some years ago, when an inquiry arose as to the treatment of O'Donovan Rossa, and two other prisoners, two police magistrates were appointed to inquire as to whether O'Donovan Rossa had been handcuffed for 35 days in prison. The gentlemen hurried back with a Report that the statement was utterly unfounded. Later on the Government were obliged to appoint a Royal Commission, and their Report stated that it was perfectly true that O'Donovan Rossa had been handcuffed for 35 consecutive days. These Motions were fully discussed last year; and he, for one, fully expected that the right hon. Gentleman, during the Recess, would be able to devote some of his valuable time to the suggestions then made, and that the Bills introduced this year would have come before them with several of these barbarous provisions eliminated from them of which they complained—provisions in respect to flogging and prolonged solitary confinement. It would not be fair to omit reference to the statements of our military prisoners who had just been liberated. There was the case of Thomas Chambers, who had published a statement of the punishments which were inflicted. Before quoting that statement he would remark that, as the law now stood, there appeared to be no distinction made as to the offences for which soldiers were imprisoned. Insubordination and theft were offences differing widely in their character, and yet there was no distinction to mark the degree of irregularity involved. In these offences the only distinction was that for a certain class of offences you got a moderate punishment, and that for more serious offences you got a severe punishment. Insubordination had not attached to it the same moral stain as drunkenness or theft, and he contended that some distinction ought to be made. Soldiers convicted of insubordination pure and simple should not be made to herd with soldiers convicted of the more criminal and disgraceful offences—of theft and drunkenness. He also referred to the statement of Thomas Chambers, who averred, among other things, that he was refused permission to see either a Catholic priest or a Protestant clergyman. There never was a time when Her Majesty's Government should be more anxious to attract to the Army men who were not the scum of the great towns, and who from their high spirit were not unlikely to be guilty of offences which did not involve the moral stain which attached to those with whom they would, if imprisoned, be compelled to herd. Unless the right hon. Gentleman the Secretary of State for War showed that he was fully alive to the necessity of altering the existing state of things, great disappointment and dissatisfaction would be felt amongst the Army and Navy.

LORD RANDOLPH CHURCHILL asked if the right hon. Gentleman's attention had been called to the recent Correspondence from South Africa, which had been laid on the Table, to the recommendations of Sir Arthur Cunynghame and Sir Bartle Frere, that the local forces should be placed under the Mutiny Act?

MR. GATHORNE HARDY said, that in the case of the Cape such a provision would be inoperative, that Colony having its own Legislature, with which it rested to make such a regulation.

MR. P. A. TAYLOR observed, that some years ago a clause was inserted in the Mutiny Act under which a soldier was rendered liable for the support of his wife and children. As the Act now stood, however, that provision was practically nullified by a subsequent one. Now, as the Mutiny Bill was to be submitted to the consideration of a Committee, which he had no doubt would be carefully chosen, next year, and as the question to which he referred would, as a matter of course, be submitted to that Committee, it would, he felt, be a waste of the time of the House to enter further into the subject on the present occasion.

MR. O'DONNELL complained of the advantage taken by the Government in reading the Bills a second time on Friday night, when many hon. Members were under the impression that they would not be proceeded with until the time fixed by the Chancellor of the Exchequer. The practice of pitching Bills headlong into Committee prevented hon. Members maturing their Amendments. He himself did not see the utility of waiting for the Report of the Committee when many of the anomalies were so apparent that they ought to be removed at once. He would suggest that, as there were many hon. Members who took an interest in the provisions of the Bill, the Committee upon it should be postponed until Thursday next, especially as the Government might proceed with the Civil Service Estimates at once, and no time would thus be really lost.

Mr. MITCHELL HENRY thought the Government had not been well advised in pursuing the course which they had followed in regard to the Bill, and expressed his disapproval of the policy of submitting questions of great public importance to Private Committees. The Bill had attracted considerable attention for some years past, and it was impossible to discuss the Amendments to the Bill until those Amendments were on the Table. There had been an unfortunate misunderstanding as to the course of procedure on Friday; and many hon. Members were under the impression that the second reading of the Mutiny Bill was not to be taken on that day, but on Monday. It would greatly facilitate the progress of Public Business to go into Committee now as a matter of form, and then report Progress, with the view of taking the discussion on Thursday.

Mr. GATHORNE HARDY explained that the Chancellor of the Exchequer never intended to mislead the House. He had been asked what would be the Business for Monday, and he replied the first thing taken would be the Mutiny Bill, moving the Committee, as the second reading was on the Orders for the night on which he made the statement.

Mr. BIGGAR observed that when the Chancellor of the Exchequer fixed the Mutiny Bills for Monday, many hon. Members were under the impression that they would not be taken on Friday.

Question put.

The House *divided*:—Ayes 128; Noes 12: Majority 116.—(Div. List, No. 65.)

Bill *considered* in Committee.

(In the Committee.)

Preamble *postponed.*

Clause 1 (Articles of War made by Her Majesty to be judicially taken notice of, and copies printed by the Queen's printer to be transmitted to judges, &c.)

Mr. O'CONNOR POWER said, he wished to propose an Amendment to the clause on page 2, to leave out from line 13 to the end of the clause. An exception was made there that the Mutiny Act should not in any way control the decisions of the Indian Government. In fact, the Government of India was left almost perfectly free to make provision of the nature made by this Act for the Indian Army; but they were exempt from the control of that House and of Parliament. One of the provisions of the Mutiny Act said—

> "Provided, also, that nothing in this Act contained shall affect any Articles of War enacted or in force under the authority of the Government of India."

So that, in regiments commanded by Native officers, reference was to be had to the Articles of War framed by the Government of India. He did not think it was desirable that the Indian Government should get complete authority in this matter, and therefore he would move the excerption of this provision from Clause 1.

Amendment proposed, in page 2, line 13, to leave out from the word "Act," to the end of the Clause.—(*Mr. O'Connor Power.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. GATHORNE HARDY said, that the Department of War in England had no control over Indian forces—Natives of India. Therefore, it would be a most improper thing for them to legislate for an army of which they could not know anything and could not take under their own control. The Viceroy made Articles of War for the regulation of the Natives. With regard to English soldiers in India, those came under the Mutiny Act.

Colonel MURE remarked that the Indian Government paid these soldiers; and, of course, if they paid these soldiers, it was necessary they should control them. It would be a monstrous proposal if the hon. Member understood the question he was dealing with; but it seemed to him that the hon. Member utterly misunderstood it.

Mr. O'DONNELL said, there could be no doubt that at present and for past years the situation in India had been as represented by the right hon. Gentleman the Secretary of State for War; but he did not know that that was any reason for maintaining the existing provisions. He took it that if that House wished to extend the provisions of its own Mutiny Act to the Native Army in India, this House of Parliament would have quite sufficient authority fully to carry out their intention. It was hardly true, as the hon. and gallant Gentleman who had just spoken (Colonel Mure) had said, that the Indian Government paid for the Indian Army. Taking it as more exact that the Indian people did pay for that Army, the question was whether this House, having certain respect for Constitutional rights and the liberty of the subject as parts of our great traditions, and being desirous of protecting those traditions—the question was, whether this House would not be a much better judge of the rights of Native soldiers in India than the Government of India? It was said that this House knew nothing about the condition of its Native Army in India. If this were so, and the authorities of this House and the Government did not know enough of the Native Indian Army to be able to lay down some principle of rule in dealing with Native soldiers, it must be extremely difficult for some gentlemen or noblemen whom the Government chose to send out there as Governor General, and who could have only five years' experience of a country of 200,000,000 of people. It would be very strange, indeed, if these gentlemen could know so much more of the wants of the Native Army than this House, which had opportunities of obtaining information from the accumulated experience of many generations. Besides, many events had happened to shake the confidence of the House in the good government of these gentlemen. He might remind the House, also, that, on general principles, the officials and the Government in India were much less suited to deal in the last resource with the Natives of India now than they were some time ago. The mere economic changes, the mere progress of science and invention, had rendered the Government in India much less suited to deal with such important Indian questions as the hon. Member for Mayo (Mr. O'Connor Power) had raised than former Governments and former officials in India. Gentlemen in India no longer looked upon India as a second home. They no longer thought of spending their whole lives there. They were no longer bound up with the people of India in the manner they used to be before rapid passages by steam enabled them to run home so often that they never formed any abiding tie with India. They always possessed more of the home feeling of Englishmen than of the Indian feeling of Indians in the sense of fellow-countrymen. If he were to remind that House of something very startling, he could only throw in a distant way a light on the present situation. But he would beg to remind the House that, under the military authority exercised in India during the Mutiny, severities were practised by Indian military authorities, the undying effect of which had been to embitter the races of India against English rule. He was quite sure that a good effect would be produced if the government of Indian military matters was subject to that House. There would then be no more of those frightful butcheries and blowing away from cannon, which alienated the population from military rule.

GENERAL SHUTE rose to Order. He thought these allusions were rather beside the subject at issue, and did not come within the scope of the Mutiny Bill.

THE CHAIRMAN: It is no part of my duty to say whether the arguments of hon. Member for Dungarvan are reasonable; but it appears to me he is not out of Order in discussing the punishment inflicted on mutineers in the Indian Army under a clause for excepting India from the jurisdiction of the Mutiny Act.

MR. O'DONNELL said, it was, of course, no part of his object to unduly fetter the hands of the Indian Government in case of emergency. That being granted, the concession did not exonerate that House from what he considered to be its duty in exercising such political control over the forces in India as would ensure for the Native soldiers in the Army in India that regard for the fundamental rights which was the birthright of every subject of Her Majesty. At present, this clause expressly exempted from the presumably humanitarian and just provisions of this Act the entire Native Army of India; and he did not think that at this time of day the House could allow that to pass without very considerable protest. The division between the European and Indian inhabitants of India was quite sufficiently broad and deep, without any artificial distinction of this kind being created. If, in the course of the discussion of this Bill, the Government could give any reasons for this exemption, he, as a Member of the House, would be ready to take these reasons of the Government into consideration. The Bill asked the House to exempt the Natives of India from the benefits of this entire Mutiny Act.

GENERAL SHUTE rose to Order. This was not an Indian Mutiny Act, and yet they were discussing Indian troops who were not under this Act.

THE CHAIRMAN: The hon. and gallant Gentleman appears to be not aware that the present clause lays down the exemption of the Indian Army from these Acts, and the observations of the hon. Member appear to me to be pertinent to that question.

MR. O'DONNELL observed, that the hon. and gallant Member was under a misapprehension as to the scope of this Bill which had just been corrected. It seemed to him that the Government should show the necessity for exempting the whole Native Indian Army from British legislation. Some effort should be made to equalize the rights of subjects of Her Majesty who happened to be in England, Ireland, or Scotland, and the same subjects of Her Majesty who happened to live in Bombay, Madras, or Bengal. Military administration in India produced a military catastrophe which was very nearly depriving Her Majesty of her Indian Dominions. Yet 20 years had been allowed to pass without subjecting the Indian Army to a proper Act. Hon. Members who recollected the utter incapacity of officers on Indian affairs during the Indian Mutiny would not, he hoped, be so completely misguided as to hand over the Army unchecked to the Indian Administration. On the grounds of common sense and public justice, he could see no reason why this exemption should be maintained. He hoped the Government would give some intimation of its intention to render the provision less sweeping, and would say that it did not intend to hand over the entire control of the Native Army in India to supreme officials, who were more ignorant even now than many Members of that House. He would not say that such a proposal was ridiculous; but it would be as nearly ridiculous as anything could be that was uttered by an hon. Member of that House. The gratitude of India would not be gained by this indifference to the rights of her people.

MR. ONSLOW said, he would not have risen but for the remark that the Mutiny was due to military incapacity. He merely rose to defend that military system and those officers, and to give them credit for the way in which they overthrew that Mutiny. It was not necessary to go into discussion; but he should be sorry if any remark in that House went to show that the House did not appreciate the services of those officers. It should be remembered that the Rules for the Army were not laid by officers, but by the Governor and Council and the Commander-in-Chief, by whom military affairs were thoroughly well discussed. This Mutiny Bill was made at a time when there was scarcely any Indian Army, and never was intended, even in a small degree, to apply to the Army in India. If separate clauses were to be introduced into this Bill for the Army in India, the Mutiny Bill would have to be much larger than it was at present. He could not but think that the remarks of the hon. Member opposite (Mr. O'Donnell) were out of place. When the Mutiny Bill was first passed there was scarcely any Indian Army, and what troops there were in India were under a separate jurisdiction and a separate military system. If regulations were introduced into all the clauses to meet the case of the Native Army in India, the Mutiny Bill would become three or four times longer than it was now.

MR. BIGGAR said, it was the duty and the privilege, and it was also to the interest of England, that the penal laws imposing punishments upon the Native soldiers in India should be as moderate as possible. If a small sprinkling of civilians were added to the Military Council, it would temper their decisions with moderation. The use of unnecessary severity would tend to alienate the Indian soldiers from the interest of this country; but it seemed that the sole object of hon. Gentlemen connected with the Army was to make the Service as unpopular as possible. The most unreasonable and absurd rules had been imposed upon the Native Indians; and, at times like the Indian Mutiny, scandalous severity, such as blowing from guns, was used. The Indian officers acted as if they had not, in a very high degree, the honour of England at heart, but thought more of gratifying their revenge.

MR. PARNELL observed, that the regulation of the Native Indian troops was a subject upon which the House might fairly legislate. The Mutiny Bills for the Army and Navy had been introduced year after year with little alteration; and, if the matter were undertaken, there would be little difficulty in framing laws for the Native Forces in India similar to those provided for British European troops in all parts of the world. It was necessary that there should be some provisions for the preservation of discipline in the Military and Naval Forces. But when they came to consider the position of the people of India with regard to the question, there was necessity for a very careful and cautious application of the Mutiny Acts to them. By the clause in question, the House handed over the right of dealing with these very serious matters to the Governor General and Council. The recollection of the manner in which the Indian military authorities suppressed the Mutiny must be in the minds of all men; and, though the gallantry of the European troops was incontestable, yet there was no justification for some of the retaliatory measures adopted by them. Such punishments were not authorized to be inflicted on European soldiers by the Bill; yet the Indian officials were empowered by it to impose any punishment they pleased on the Native troops. The House would fail in its duty if it neglected that opportunity of providing for the proper maintenance of military discipline in India. He begged to support the Amendment, and hoped the question would receive the attention of the Select Committee, which, he understood, had been appointed to consider the whole matter.

MR. O'CONNOR POWER had heard nothing from hon. Members, either on the Treasury Bench or elsewhere, which could induce him to abstain from going to a division upon this question. He knew well from experience that his following in the Lobby would be but small; but he was willing to bear the odium of the minority, as he considered that the arguments he had raised had not been fairly answered on the other side.

GENERAL SHUTE said, the Mutiny Act was most fully debated last Session. The Secretary of State for War had also promised that a Select Committee should be appointed to go thoroughly into the whole subject of the administration of military law. Under these circumstances, he thought that hon. Gentlemen opposite might leave the matter to be dealt with when the proper time arrived. He might mention, for the information of the House, that the Indian Mutiny Act was a more lenient one than that enforced in this country. As an instance, corporal punishment was done away with in the Indian Army in 1832 by Lord William Bentinck, more than a quarter of a century before the same course was adopted in the English Mutiny Act. In other respects, also, the discipline had not been so severe, which, in the opinion of many officers, was one cause of the Mutiny in Bengal.

MR. MITCHELL HENRY was quite unprepared to say whether the Mutiny Act should be applied to India without having a great deal more information on the subject. India was one of the countries held by conquest, which was not represented in Parliament, and whose condition could not be considered at the same time as that of England. He did not at all know that, considering caste and religion, the present Mutiny Acts would be at all applicable to India. If the Amendment were pressed, he should not vote for it; and it would have been much better if the subject could have been adjourned until Thursday, when Members could have had Notice of the Amendments that were to be proposed.

MAJOR O'BEIRNE remarked, that at the time of the Indian Mutiny the European troops rather erred on the side of mercy. In his opinion, the Amendment proposed was a mere piece of obstruction.

MR. PARNELL said, that the hon. Member for Galway (Mr. Mitchell Henry) had referred to India as a conquered country, and had given that as a reason why the same Constitutional law could not be applied there as was enforced in England. The same argument would apply to Ireland, which was as much a conquered country as India. He submitted that what had just fallen from the hon. Member for Galway was entirely inconsistent with every utterance he had yet made in the House. The course which the Government had taken in pressing the Bill into Committee was exceedingly inconvenient, and did not afford opportunities for discussing the principles of the measure. Moreover, the second reading was taken unexpectedly on Friday night. He hoped the hon. Member for Mayo (Mr. O'Connor Power) would press his Amendment to a division.

Mr. MITCHELL HENRY had always understood that Ireland was not a conquered country, and that, therefore, she would not submit to the laws which were imposed upon conquered countries. He should understand that Ireland was in the same position as India, when he found India returning Representatives to Parliament. It was unreasonable to ask that the crude notions of hon. Gentlemen with regard to this Bill should be applied so as to affect the position of the Native Forces in India.

Mr. MACDONALD was unwilling to support the Amendment of the hon. Member for Mayo, but wished strongly to deprecate the language used with reference to it by the hon. and gallant Member for Renfrew (Colonel Mure). As he understood the language used, it amounted to this—that he would consider the Amendment worthy of his attention if the hon. Member for Mayo understood anything about the question; and he further added that he looked upon his proposition as monstrous. That was not the first time language of a similar character had come from the same quarter; and it would tend to raise a good deal of obstruction to the progress of the Bill. Though personally he could not support the Amendment, he felt bound to say that, so far as he had seen, the hon. Member for Mayo never spoke on a subject that he did not fully understand. If the Ministry felt flattered by the support of the hon. and gallant Member for Renfrewshire, he, for one, feared they made a mistake.

Mr. BIGGAR said, the only object of proposing the Amendment was to point to what the framers of it believed to be defects in the Bill.

Mr. MITCHELL HENRY remarked, that it was unfair to ask the House to apply the present Bill to India, without first explaining what was the present state of the law in India.

Mr. O'DONNELL said, that the hon. Member for Galway (Mr. Mitchell Henry) did not appreciate the scope of the Amendment. What the hon. Member for Mayo objected to was not the existing state of the Indian law on this subject, but the withdrawal of the military law from the cognizance of Parliament. He could not conceive why the hon. Member for Galway deserted his own principles in this flagrant manner. The hon. Member objected to different races being mixed up under the same rule; but that hon. Member was in the constant habit of urging Irish Members to seek to extend to Ireland Bills adopted for England. It was quite certain that England would never give any other country better laws than she adopted for herself. It might, therefore, be assumed that the Indian Mutiny Act was worse than the English law on the same subject. Having denounced the conduct of the English authorities in the suppression of the Mutiny, in regard to blowing from the guns, in condemning condemned men to act as hangmen and otherwise, the hon. Member said that these things rendered it necessary to supervise closely the conduct of the Indian military authorities. With every admiration for the military virtues and conduct of our troops in India, it was necessary to take precautions against the repetition of cruelties such as those he had mentioned. It was most important that they should extend, both to the English Army in India and to the Native Army, those improvements in military administration and the administration of military justice which had been introduced into the Mutiny Act with reference to the English Army at home. The provisions of the Mutiny Act had lately been adapted to the Colonial Forces in South Africa; and he did not see why that in this case it should not also be extended to Mahommedans, Radjpoots, and Gourkas. If they could pass over diversities of race in South Africa, he did not see why they should regard them in India, in regard to subjects of the Queen, serving under the same flag. The exception of India from the operation of this Act was inconsistent with the general extension to the Army of the Queen.

DR. KENEALY said, that he had heard no reason yet why the Mutiny Act should not apply as well to soldiers in the Indian Service, as to those who were in our Home Service. It would be a wise measure if there were one and the same military law for India and for the United Kingdom, and he should support the Amendment unless he heard some good reason why different laws should prevail in the two countries. He was surprised, also, why this Bill should have been forced on by, what he would not call "sharp practice" on the part of the right hon. Gentleman the Secretary of State for War, but by what he considered an undue exercise of a course that he could not commend. The conduct of the Government last Friday was one that was open to observation. It was perfectly well known that the hon. Member for Meath (Mr. Parnell) had an Amendment on the Paper, to which both he and other Members attached importance. In his temporary absence, without any notice, and to the surprise of everyone, the right hon. Gentleman had suddenly carried the second reading of the Bill, and had thus got it smuggled into Committee without debate. If this had not been done hon. Members would probably have been more inclined to give way. At present they felt that they had not been fairly treated. Hence, they felt that they were fully entitled to use all means, not of obstruction, but of legitimate opposition. He himself was opposed to this clause on the broad ground that the time had come when the people of India, military as well as civil, should be legislated for in the same manner as the people of England; nor could there be any real loyalty in India until this was so. The people of India had not the same boundless faith in the Indian Government which might be desired. On the contrary, he believed that the whole of Hindostan was at this present moment in a state of hidden disaffection, if not of smothered rebellion, and that it only waited for the right hon. Gentleman to be at war with Russia for that feeling to break out in a dread explosion. Our insolence, our injustice, our tyranny in Hindostan would produce fruits of blood. He was sorry to hear the hon. Gentleman the Member for Galway (Mr. Mitchell Henry) speak of India as a "conquered country." Without expressing any opinion as to how that may have been, he hardly thought it wise, just now, to anger the Natives by thus wounding their pride, and reminding them that they were slaves. Language of this kind, impolitic conduct, and perhaps gross ignorance of the East Indian Government, coupled possibly with Russian intrigue at the bottom, had forced India into revolt before; and our present management of that great Dependency was well calculated to do the same again. He repeated his belief that the right hon. Gentleman had brought the whole of this opposition on himself by smuggling the Bill through as he had.

SIR HENRY HAVELOCK deprecated the tone in which the hon. Member for Stoke-on-Trent (Dr. Kenealy) and the hon. Member for Dungarvan (Mr. O'Donnell) had approached the consideration of this measure. The only conclusion he could come to upon hearing their remarks was that they had not mastered the A B C of the question. So far as there was anything like consecutiveness or relevancy in the remarks made by the latter hon. Member, he gathered that he believed our Indian Forces were excluded from the operation of this Bill because they were subjected to a code of discipline heavier and more severe. But exactly the reverse of this was the case. The soldiers in our Indian Army were in a totally different position from the rest of our Forces; and if their opinion were asked upon the matter, it would be found that about the last thing they would propose would be to be brought under the operation of this law. The regulations under which our Indian soldiers served were in all respects more lenient, more genial, and more paternal than those applied to English soldiers; not because there was any invidious distinction between soldiers serving in India and England, but because, from the industrial conditions of the two countries, it was found that while here we had difficulty in maintaining the number of our soldiers at the proper complement, the state of civil life being so prosperous; whereas there, there was not seven, but 14, men waiting to enlist upon the occurrence of every vacancy for a private soldier. A good deal of unnecessary excitement had been expended by certain hon. Members upon this Bill, not, so far as he could see, by reason of any concern they might have in its merits; but because, by a lapse of their own, they found it necessary to explain to their constituents why, although the second reading of the Bill was taken at an early hour comparatively on Friday night, they were not in their places to raise their promised debate. But that was not the reason why their Amendments were not now received by the Committee—the Amendments themselves were utterly impracticable and without weight.

Mr. O'DONNELL felt bound to express his obligations to the hon. and gallant Member for Sunderland (Sir Henry Havelock) for the attention with which he had condescended to notice the part he had taken in the debate. Doubtless the hon. and gallant Gentleman, not having placed his sword at the disposal of the Emperor of Russia, thought it right to occupy his leisure in lecturing Members for Irish constituencies upon the position they should assume in matters coming before that House. He would not say, in reply to the hon. and gallant Member's statement, that laughter was the fitting answer to him, or that "empty laughter betokeneth the empty mind;" but he would point out to the hon. and gallant Gentleman that the manner in which he had contributed to the debate would not be likely to raise his character for calmness and statesmanship. The fact was adduced that there were many candidates for every vacancy in a regiment in India. But one of the reasons which was more than suspected to lie at the bottom of the applications for service in India was the increasing desire of the warlike caste to pass through that very efficient school of military skill and science—the British Native Army of India. If hon. Members would consult some of the most recent works on military administration in India, they would find that men desired to pass through the Native Army of India, because, having done so, they were eagerly sought for by Native Potentates, who gave them high positions in their armies. A dangerously large element in the Native independent armies of India was composed of men who had entered our Service for the purpose of qualifying for service with Scindiah, Holkar, and the Nizam. It was said the administration of India was of a paternal character; but that was simply the smooth word for arbitrary government, which was one of the very things from which they desired to relieve the Native Army of India. Why was it that Colonial and Native Forces in our Dominions in other parts of the world, composed of races as diverse from our own as any represented in India, were to be brought, or might be brought, under the operation of the Mutiny Act, when the Natives of India were excluded from it? This was not all. The British officers in the Native regiments could appeal to a different code of law, and be tried by a different procedure, from those applicable to their brother officers of a different colour. Thus, officers of British birth were separated by this exclusive legislation from real comradeship with their brethren in arms. Native officers complained of this discrimination, and he appealed to them to remove the complaint by removing the grievance.

Dr. KENEALY said, he did not know what right the hon. and gallant Member for Sunderland (Sir Henry Havelock) had to set himself up as lecturer or monitor-general to Members of that House. Neither his military nor political position entitled him to do so. He presumed to attack Gentlemen who were no place-hunters, who were not political adventurers, nor hunters after mean and miserable promotion. On the contrary, they were persons of honour, of independence, of patriotism; and they were as proud of hating Russia as the hon. and gallant Member for Sunderland was of being her devoted admirer. Yet the hon. and gallant Member for Sunderland had presumed to warn them as to what their constituencies would do when the Election time came. He knew a little of Sunderland, and he conveyed a similar warning to its Member, whose constituents, he believed, were considerably disaffected towards him, and would let him know what they felt at the proper time. The course which he had pursued with reference to Russia had excited a feeling of disgust among his constituents which he would find to his cost at the next Election. The language used in that House by the hon. and gallant Member showed what sort of persons were in the Indian Army, and what they might do there, when they thus spoke here.

The CHAIRMAN: The hon. Member must know that he cannot, on the Question now before the Committee, use language impugning generally the personal character of officers in Her Majesty's Service.

DR. KENEALY said, he was not impugning the character of officers in Her Majesty's Service; he merely spoke of the language which had just been used by the hon. and gallant Member for Sunderland.

THE CHAIRMAN: The hon. Member has used language which appears to be disrespectful to the general character of the officers of the Indian Army. I must require the hon. Member not to repeat that language.

DR. KENEALY said, he was sorry if he had been out of Order; but he must maintain that the whole conduct of the officers of that Army during the Indian Mutiny was calculated to do the greatest possible injury to the interests of British rule in Hindostan. ["No, no!"] The hon. and gallant Admiral called "No." Perhaps he had not studied the subject very deeply. The hon. and gallant Member for Sunderland had followed the assertion of the hon. and gallant General the Member for Brighton (General Shute), that the Indian Mutiny Law was milder than our own; but he had offered no proof of that extraordinary statement. For his own part, he could not credit it. And if it were true, to what did it amount? Why, to this—that our own soldiers were so much worse than the Native soldiers that they required more severe, stern, and cruel discipline. A worse censure on English soldiers could not be passed. This debate was not calculated to serve us in the East. When he was interrupted he was about to show how the people were insulted in India, as exemplified by the language of the hon. and gallant Member for Sunderland—language which did not certainly come from any great military authority; for although the hon. and gallant Gentleman bore a great name, he would pardon him for reminding him that he was only a very small shadow of that great name. The arguments which had been advanced in this discussion had, he might add, received no answer from the Treasury bench, whose occupants were greatly mistaken if they thought that they derived any particular honour or advantage from the peculiar style of oratory, or the services of the hon. and gallant Member for Sunderland.

SIR HENRY HAVELOCK did not think it necessary to take up the cudgels for the Services assailed, for they required no defence at the hands of anyone. Nor would he follow the hon. Member (Dr. Kenealy) further, than to say this. The hon. Member (Dr. Kenealy) assumed to know the feelings at Sunderland. He had reason to know something of them; for on a late occasion he encountered a reception there which proved to be the harbinger of many similar receptions he had met with all over the country. He (Sir Henry Havelock) was never prouder of the people of Sunderland than when they thus treated the hon. Member according to his merits. As for himself, believing that he understood his constituents on this question, he should meet them with pleasure whenever it was necessary.

MR. PARNELL said, that on Thursday last he entertained apprehensions that the engagement entered into on behalf of the Government would not be kept. On Thursday night he went to the Clerk of the House, and asked that official to take some of his Amendments in Committee.

MR. GATHORNE HARDY, interposing, said, the hon. Member for Meath had not thought it inconsistent with the duties of an hon. Member to say that he understood and felt that the Government would not keep an engagement which they had made. He denied that the supposed engagement was made; but if the hon. Member for Meath used such language, he must call upon the Chairman to put an end to it.

MR. O'CONNOR POWER said, he had not understood the hon. Member for Meath to say so. If the Chairman's recollection were the same as his own, he would ask him to rule that the Secretary of State had not sustained his point of Order.

THE CHAIRMAN observed, that the hon. Member who had just spoken desired to raise a different issue from that which was raised by the right hon. Gentleman. The right hon. Gentleman, rising in his place, objected to certain words which appeared to him to impute a deliberate breach of faith to Her Majesty's Government. He thought the words used would bear that construction, and in any such sense he must require the hon. Member for Meath to withdraw them.

MR. MITCHELL HENRY wished to know whether it was out of Order to attribute a breach of faith to Her Majesty's present Government, or whatever Government might be in power? His recollection served him perfectly, and he could state that the noble Lord now at the head of Her Majesty's Government had repeatedly, in his hearing, attributed in that House deliberate breaches of faith to the Government in the conduct of the Business of the House. He had heard the noble Lord do this over and over again.

THE CHAIRMAN said, he could offer no opinion on the matter just referred to by the hon. Member for Galway. He desired to point out, however, that if any language were used attributing a breach of faith to any Gentleman in that House it was out of Order.

MR. MITCHELL HENRY objected altogether to being placed under the disadvantage of having his point misunderstood. His hon. Friend did not attribute any deliberate breach of faith to the right hon. Gentleman the Secretary of State. His hon. Friend spoke of the Government, and of the Government only. To say that the Government itself had not kept faith with the House was a totally different thing from saying that a particular Member of the Government had been guilty of a breach of faith. There was a great distinction to be drawn between a Government and the individual Members of which it was composed. His hon. Friend said he believed the Government had no intention to keep their promise to give him facilities for the discussion of this Bill. In his judgment, there was in this nothing personal to the right hon. Gentleman the Secretary of State for War.

MR. GATHORNE HARDY said, the hon. Member for Galway might take his own view of what was insulting. The hon. Member for Meath had said that he (Mr. Hardy) had personally given an engagement, and he added that he foresaw it would not be kept. He took that as an insult. He was perfectly satisfied with the position in which the matter stood, and he now asked that the debate might be proceeded with.

MR. PARNELL observed, that in stating the reasons why his Amendments were not upon the Paper, he explained that he felt apprehensive on Thursday last that the engagement would not be kept which he understood the Government had entered into in reply to a Question put by him early in the Session to the Secretary of State for War. That engagement, as he understood it, was that the Government would afford an opportunity of discussing the principle of this Bill on the second reading. The right hon. Gentleman now stated that he never entered into such an engagement. That being so, of course he had nothing more to say on the subject. The right hon. Gentleman had the best right to interpret his own words, and, of course, he must now consider that the right hon. Gentleman did not enter into the supposed engagement.

THE CHAIRMAN said, he must point out to the Committee that the language used by the hon. Member for Meath was of a somewhat ambiguous character. It was interpreted by the right hon. Gentleman as conveying a direct personal affront to himself. For his own part, he was of opinion that the words did not necessarily bear that construction. The Committee would remember that, when appealed to on the subject, he placed the matter before the hon. Member for Meath in such a manner as to afford him an opportunity of disavowing any intention to give personal offence. He understood that the hon. Member for Meath did make this disavowal.

MR. GATHORNE HARDY said, he did not give an engagement that the Bill would not come on on Friday last. It came on at a quarter-past 11 o'clock—not a time unsuited for discussion—and it must be borne in mind that he was not responsible for the Bill not being discussed.

MAJOR O'GORMAN asked, whether he must understand that no such thing as a breach of faith on the part of an English Government was possible? Let the Bill about the Transvaal last year answer that question.

MR. PARNELL remarked, that the matter had resolved itself into a difference of opinion between the Secretary of State for War and himself. He did not think a quarter-past 11 was a right time to bring on such a Bill as this on a Friday night.

MR. O'DONNELL said, it was admitted that the Chancellor of the Exchequer said that the Mutiny Bill would be taken on Monday. It had been explained to-night that the right hon. Baronet meant that it would be taken in Committee on Monday. But surely, when hon. Members heard it announced that a Bill would be taken on Monday, they had a right to assume that the second reading would be taken on that day.

THE CHANCELLOR OF THE EXCHEQUER: I said the Mutiny Bill would come on to-day—that was, of course, in whatever stage it happened to be.

MR. BIGGAR was referring to this subject, when——

THE CHAIRMAN said, the question raised on the point of Order was as to certain words which had been used by the hon. Member for Meath. It was out of Order to discuss answers given by different Members of the Government.

Question put.

The Committee *divided:*—Ayes 137; Noes 9: Majority 128.—(Div. List, No. 66.)

Clause 2 (Persons subject to this Act).

MR. O'CONNOR POWER said, it was not quite clear how far the Militia would be affected by this clause, even when they were not actually embodied. It appeared to him that it was very injudicious to include the Militia in a clause of this character, and to place them under the provisions of this Bill. He therefore moved the omission of the words "or the Militia," the effect of which Amendment would be to exclude the Militia from the operation of the Bill.

Amendment proposed, in page 2, line 26, to leave out the words "or the Militia."—(*Mr. O'Connor Power.*)

Question proposed, "That the words 'or the Militia' stand part of the Clause."

MR. PARNELL hoped the Secretary of State for War would give some explanation of the meaning of this clause, which, he believed, was introduced for the first time last Session. He did not see much objection to the clause if it only extended to the Militia when they were embodied.

Question put.

The Committee *divided:*—Ayes 145; Noes 8: Majority 137.—(Div. List, No. 67.)

On Question, "That the Clause stand part of the Bill?"

MR. O'DONNELL called attention to the fact that a large number of persons who were practically civilians — store directors, surveyors, draftsmen, storekeepers, veterinary surgeons, medical storekeepers, apothecaries, and other non-combatants — were apparently included in the provisions of the Act. He wished to know whether this ought to be the case, and whether such persons ought to be under the ordinary laws of the Army in time of peace?

MR. GATHORNE HARDY said, the persons referred to were parts of the Army just as much so as the combatants who were engaged. He might add that these persons would feel themselves aggrieved if they were not so regarded.

Clause *agreed to.*

Clause 3 (Provisions of this Act to extend to Jersey, Guernsey, &c.), *agreed to.*

Clause 4 (Colonial and foreign troops in Her Majesty's pay to be subject to provisions of this Act).

MR. O'DONNELL said, he noticed that the clause applied to all soldiers who were enlisted in distant parts of the Empire with the exception of India, and he wanted to know why they also were not included?

MR. GATHORNE HARDY replied that wherever Her Majesty's officers raised a contingent abroad they were treated as parts of the Regular Army, just in the same way as though they were English, Irish, or Scotch.

MR. O'DONNELL could not see why the same rule should not apply to the Native troops employed in the Indian Army.

Clause *agreed to.*

Clause 5 (Provisions as to the militia or yeomanry or volunteer corps or reserve forces) *agreed to.*

Clause 6 (Power to contribute courts martial).

MAJOR NOLAN wished for information as to the exact powers of the Maltese Army, enlisted and enrolled on the Island. He asked this mainly in view of officers in that force being chosen to sit upon courts martial.

MR. CAVENDISH BENTINCK replied that the officers in the Maltese regiment, whose pay was provided for in the Parliamentary Estimates, were members of the Regular Army of the Queen to all intents and purposes. It followed, therefore, that any officer in the Maltese regiment was perfectly competent to sit as a member of a court martial.

Clause *agreed to.*

Clauses 7 and 8 *agreed to.*

Clause 9 (Powers of district of garrison courts martial).

MAJOR O'BEIRNE moved, in page 6, line 8, to omit the word "seven," in order to insert the word "five." The hon. Member said, his object was to reduce the number of officers who should form a court martial. He thought a court of five would be sufficiently large to meet all the ends of justice, and that a court so constituted would be much less expensive than a court of the larger numbers. The appointing officers to courts martial, also, had the effect of withdrawing them from their regimental duties, and the regiments suffered in consequence. This was the more important by reason of the fact that many of the regiments were short of officers, owing to the working of the depôt system, which had disarranged the whole service of the Army. He thought it ought to be left to the Generals in charge of districts to fix the number of officers at either five or seven who should form district courts martial, such determination to be fixed in accordance with the number of officers who could be spared.

MR. O'CONNOR POWER opposed the Amendment, as being one which had simply been drawn in order to relieve officers from some of their duties which they found rather onerous and disagreeable. He did not know what officers would do in time of peace if they were not employed in looking after the discipline of the Army. He protested strongly against any diminution in the number of the tribunals before which the gallant fellows who served the Queen should be tried, and by whom they might be deprived of liberty and degraded in rank. It was found convenient to empanel a jury of 12 men for the trial of a civilian charged with a criminal offence, and he saw no reason why a soldier should be tried by a jury of five without a Judge. The Amendment was a reactionary one, and was

altogether opposed to the principles of modern reform.

MR. PARNELL also opposed the Amendment, on the ground that the powers given to garrison and district courts martial were too wide to be exercised by a smaller number of officers. He should certainly have thought the hon. and gallant Member for Leitrim (Major O'Beirne) would have striven rather to increase than to diminish the number of a court martial.

MAJOR NOLAN did not think the private soldiers would be aggrieved by the fact that they were tried by a court smaller in number than seven. It had not been the custom of late to include young officers in courts martial; and it was not, therefore, necessary to put on old and experienced officers to instruct them in their duties. To decrease the number of officers would save much trouble and expense, and would also set many officers free for the instruction of the men.

Amendment *negatived.*

Clause *agreed to.*

Clauses 10 to 15, inclusive, *agreed to.*

Clause 16 (Judgment of death may be commuted for penal servitude or other punishments).

MR. O'CONNOR POWER called attention to the number of successive days on which solitary confinement might be inflicted upon offending soldiers, and moved, in page 9, line 8, to omit the word "seven," in order to insert the word "three." The effect of the Amendment would be to render it impossible to inflict solitary confinement on more than three successive days.

Amendment proposed, in page 9, line 8, to leave out the word "seven," and insert the word "three."—(*Mr. O'Connor Power.*)

Question proposed, "That the word 'seven' stand part of the Clause."

MR. GATHORNE HARDY was sorry he could not accept the Amendment, particularly at the present time, when it was intended to refer the whole subject-matter of the Bill to a Select Committee. What was called solitary confinement, he was informed, as it used to exist, existed no longer. The prisoners were kept in separate rooms; but persons were admitted to them for all kind of purposes, and they were not kept in extreme solitude. All he could now say was, that the provisions in regard to discipline would be under the General Prisons' arrangements.

MR. PARNELL said, this had not been done at present, although the regulations under the Prisons Act had been issued. There was also a considerable difference between solitary confinement inflicted as the consequence of a court martial, and the same class of punishment when it was inflicted for a breach of prison rules. If the punishment was to be similar to that inflicted in penal-servitude establishments, it would be very severe indeed. Mr. Michael Davitt, who had recently been released from penal servitude, had given an account of his experiences, which showed that except a prisoner was, physically, very strong, he could not endure the punishment without suffering terribly in health. One solitary spell of such discipline inflicted for a single offence was vastly different from several spells of seven days' each, with only seven days of interval, extending over a long term of imprisonment or penal servitude. He hoped the Select Committee which was to sit upon the question would carefully consider the matter, and would see their way to making some humane suggestions which might prove acceptable to the Secretary of State for War. He would, therefore, suggest as a temporary means of settling the question, that there should not be more than seven days of solitary confinement in any period of 28 days' imprisonment. This would, he thought, be a sufficient concession, without substituting, as it had been proposed to do, three days for seven as the period for which solitary confinement could be inflicted.

MR. MITCHELL HENRY hoped the right hon. Gentleman would postpone the clause, in order that an inquiry might be made as to what was the real nature of solitary confinement; because the right hon. Gentleman had told the Committee that this punishment was not what it used to be, and that it was not by any means of so severe a character as some hon. Members seemed to suppose. But, on the other hand, his hon. Friend (Mr. Parnell), who had made himself acquainted with this subject, stated that solitary confinement meant solitary confinement as it was ordinarily understood—namely, absolute seclusion in a cell, with bread and water for diet, and without the prisoner seeing any human being except the person who brought him food. That description did not accord with the right hon. Gentleman's explanation of the nature of the punishment; and if his hon. Friend's account was correct, surely the right hon. Gentleman would admit that three days was quite a sufficient period for such torture as that. This question of solitary confinement had been thoroughly investigated in America, at the instance of philanthropists, and it had been given up there, because the severity of the punishment drove so many prisoners into insanity. If it was the fact that the sentence of solitary confinement meant a solitary cell, water, and 15 ounces of bread for each day, and no communication with a human creature, he put it to the right hon. Gentleman whether that was a punishment which he would wish to be prolonged beyond three days? Under the circumstances, it was not unreasonable to ask the right hon. Gentleman to consent to the postponement of the clause.

MR. GATHORNE HARDY observed, that the hon. Gentleman (Mr. Mitchell Henry) seemed to suppose that there had been no inquiry upon the subject. The fact was, that he had, as Secretary of State for War, made inquiry of the Director of Convict Prisons, who informed him that, for a very long time, what was called "solitary confinement" was really not different from the punishment of the other prisoners, with the exception of the exercise being taken alone, and not with the other prisoners. He understood the hon. Member for Meath (Mr. Parnell) to refer to the punishment for prison offences, with which this had nothing to do. He had not made inquiry into the punishment for prison offences. The sentences given by the courts martial were treated separately.

MR. O'CONNOR POWER, referring to the last remarks of the right hon. Gentleman, reminded the Committee that flogging was one of the punishments inflicted in convict prisons. The object of the clause was to enable courts martial, in addition to the term of imprisonment, to determine that that imprisonment should partake of solitary confinement. He could not accept the statement of the Secretary of State for War exactly as the right hon. Gentleman had given it. His reason for not accepting that explanation was, that he had himself been to see the cells at Chatham, where prisoners had been recently confined. During his visit there, his attention was drawn to one of the cells. "Solitary" was the term applied to those cells, and they had been accurately described by the hon. Member for Meath (Mr. Parnell), with this addition—that the cells were almost completely dark, the windows being covered over, save a few perforations in the iron shutter, through which very little light indeed was admitted. Courts martial might not only order a man to be flogged, but they could also add this most extraordinary and painful solitary confinement described by the hon. Member (Mr. Parnell). The Secretary of State for War had stated that he would undertake that the punishment should be carried out according to the Prisons Act passed last Session, or in compliance with the Rules framed under that Act. Those Rules had been recently printed; and, for his part, he must confess, after looking over them, that he had no confidence in the Home Secretary's desire to introduce rules on this subject. After all the discussions which had taken place in the previous Session, the Prison Rules laid on the table of the House afforded no guarantee whatever, to his mind, that the punishment of solitary confinement, whether in the Army, Navy, or anywhere, could be safely regulated according to the principles embodied in the Rules. Therefore, he thought he and his hon. Friends would be justified in taking the opinion of the Committee on the question. This clause was of a most serious character, for it provided that offenders might be ordered to be kept in penal servitude for any term not less than five years, or to suffer a less term of imprisonment with or without hard labour or with or without solitary confinement. Take the case of a military offender. He was sent to Chatham, for instance. The sentence was five years' penal servitude; but the court martial said a portion of the time should be spent in solitary confinement. He supposed the right hon. Gentleman would admit that it was fair to assume that solitary confinement at Chatham would be carried out according to the practices and rules of that prison. If so, the inference was perfectly clear that the solitary confinement contemplated in this clause was of a very severe and painful character. If the Committee had before them a list of the number of men who had been driven mad from the effects of this punishment they would be astounded. The only word in the English language that fitly expressed this kind of punishment was "torture"—it was a system of torture, which he, for one, strongly denounced; a system which neither reformed the criminal actually brought under it, nor deterred the intending criminal. He was surprised that the right hon. Gentleman had not yet seen his way to the adoption of an Amendment which would meet the views of the Committee on the subject.

MR. PARNELL said, the statement of the Secretary of State for War, that solitary confinement did not, in fact, mean solitary confinement as ordinarily understood, was, to a certain extent, less unsatisfactory than might be expected. The Secretary of State for War did not seem to know what was the treatment received by soldiers and marines who were sentenced to solitary confinement. The right hon. Gentleman had told the Committee that he had been assured by the Director of Convict Prisons that it meant separate confinement—that the treatment was that which prisoners received who were sentenced to separate confinement. In the Rules laid on the Table by the Home Secretary, there were not any relating to penal servitude establishments, and the Committee were, therefore, entirely in the dark as to what this particular treatment really was to be, when a prisoner received sentence of solitary confinement. Members were entitled to the information. Would, therefore, the Secretary of State for War lay on the Table Copies of the Rules which regulated the treatment of prisoners sentenced by courts martial to periods of imprisonment accompanied by solitary confinement? When such Rules were laid on the Table, the House would have an opportunity of considering them. If the right hon. Gentleman would assent to that course, he thought his hon. Friend the Member for Mayo (Mr. O'Connor Power) would not object to withdraw his Amendment. They knew some instances of the effect of the treatment of which they complained. One example was the case of Gunner Charlton, who was sentenced to solitary confinement, whose feet were bitten off by frost, and who afterwards died in the streets—a victim of this kind of punishment. The Committee knew, also, what solitary confinement meant as a punishment for breaches of discipline; but they did not know what it meant as part of the sentence of a court martial under this Bill. That was the information which they wanted.

MR. DILLWYN said, the Committee seemed agreed on this point, that solitary confinement was too severe if the punishment extended over a lengthened period. Therefore, it was suggested that the period should be diminished, if solitary confinement meant what was ordinarily understood by the expression. If, on the other hand, it meant, in this instance, only separate confinement, that entirely altered the question. The Committee ought to be distinctly informed what solitary confinement really was in the present instance. Probably the period defined by the Act of Parliament was a very proper period for separate confinement, as explained by the Secretary of State for War; but many hon. Members agreed that the term was too long for solitary confinement, taking that expression in its common acceptation. Therefore, it was only reasonable that the right hon. Gentleman should give clear information on the point, and set the minds of hon. Members at rest.

MR. O'CONNOR POWER suggested that, if the description of solitary confinement, as given by the right hon. Gentleman was correct, the difficulty might be met by simply substituting the word "separate" for "solitary."

DR. KENEALY asked the right hon. Gentleman to explain the distinction between separate and solitary confinement. How could they justify solitary confinement, as described by hon. Gentlemen on that side of the House, for seven days, during which time the prisoner was entirely separated from all human society, and fed with 16 ounces of bread and water every 24 hours? At Chatham it meant being incarcerated in a dungeon, into which light was admitted only by a small aperture, so that the prisoner was not only half-starved, but kept in darkness for a whole week. The state of the case, however, was rendered far more lamentable when they were told that the tendency of solitary confinement was, after a certain time, to induce insanity. In America solitary confinement had been discontinued for that very reason. He joined in the appeal for the postponement of the clause until some investigation was made into the subject. In every county in England lunacy and insanity had been on the increase; whether that fact was due in any way to the number of prisoners kept in solitary confinement he did not know; but he appealed to the right hon. Gentleman the Secretary of State for War, on the grounds of humanity, to consider the request now addressed to him. The right hon. Gentleman would suffer no loss by allowing the matter to be deferred.

MR. GATHORNE HARDY could not agree with the hon. Member who had last spoken, that he would lose nothing by delaying this matter until the Report of the Committee. On the contrary, from the view which appeared to be taken of this Bill by some hon. Members, he did not know that he had a moment to spare in pressing it on. Therefore, instead of postponing any clause of the Bill, he thought it would be necessary for him to ask the House to take some steps for an extra Sitting, in order that the Bill might be passed in time. With regard to the suggestion of the hon. Member for Mayo (Mr. O'Connor Power), he was sorry that he could not accede to it. There was no such term known in prison regulations as "separate confinement." He had made careful inquiry as to the mode in which these prisoners were dealt with who were subjected to what was called "separate confinement." They were not, as some hon. Members seemed to suppose, shut up alone in their cells and left entirely to themselves; but were treated, visited, and fed in the same way as other prisoners. They took their exercise solitarily, and not with the others, and that was the only difference—so he had been assured by the Director of Convict Prisons; and, such being the case, he must insist upon the passing of the clause as it stood.

MR. SULLIVAN, speaking from some little experience in connection with prisons, said, that solitary confinement was a practice observed in Ireland, for he had heard a governor threaten prisoners with "solitary" for a week if they committed a breach of the rules.

Mr. GATHORNE HARDY explained, that he had admitted that solitary confinement was a punishment applied for prison offences.

Mr. SULLIVAN urged the right hon. Gentleman to introduce into the clause some Amendment which would embody his own view of solitary confinement under this Bill.

Mr. O'CONNOR POWER said, the right hon. Gentleman had remarked that the word "separate" was not expressed in the Prison Rules. If it was not, surely it could be expressed as easily as "solitary." He was surprised at the right hon. Gentleman's perseverance in opposing this most reasonable Amendment.

Mr. MITCHELL HENRY thought the Government were not treating the Committee fairly in connection with this matter. There were hon. Members on that side of the House who were as anxious that the Mutiny Bill should pass as hon. Gentlemen were on the opposite benches. For his own part, he had dissociated himself from those hon. Members with whom he usually acted, and had voted with the Government because he thought the Amendments, on which the Committee had divided, were unreasonable proposals. But now it appeared that the Government had made up their mind that the Bill should pass *verbatim et literatim;* and, that being so, they could not be astonished at the opposition which they had provoked. The right hon. Gentleman had now informed the Committee that solitary confinement differed from ordinary punishment only in the fact that the criminal took his exercise alone. Why was not that explanation given before? If that was the meaning of solitary confinement—and the right hon. Gentleman, he was sure, believed it was the correct meaning—he would be quite content, for his own part, to let the clause pass; but he did beg the right hon. Gentleman's attention to the fact, that in Chatham there were a number of military prisoners confined; and his belief was that solitary confinement there did not mean merely that the man took his exercise by himself. When this clause passed, he hoped that his hon. Friend (Mr. O'Connor Power) would take the earliest opportunity of moving for a Return on the subject, showing the exact nature of the punishments inflicted in all military prisons, whether by solitary or separate confinement.

Mr. PARNELL thought the right hon. Gentleman was mistaken in supposing that the term "separate" was not understood in prison parlance. As a matter of fact, Millbank Prison was entirely devoted to separate confinement; and if solitary confinement meant, in the present Bill, only separate confinement as adopted at Millbank Prison, he should be satisfied; but what it really did imply should be stated, in black and white, in this Bill. Every prisoner sentenced to penal servitude underwent a probationary period of separate confinement—that was to say, he was confined in a separate cell for nine months. The Secretary of State for War seemed to indicate that that was the confinement which these military prisoners received when they were sentenced to solitary confinement. If the right hon. Gentleman meant nothing more than that, then let it be stated in the Bill. The objection of the right hon. Gentleman to any change of the term appeared to be, not that the punishment would be changed, but that the term itself was not known. Then, let it be known, for what objection could there be to the term being known? This Act was administered not only in convict establishments under the immediate supervision of the Home Secretary, but in every part of the world wherever there was an English soldier liable to be sentenced to imprisonment accompanied with solitary confinement; and there, he believed, solitary confinement, as ordinarily understood, would be the punishment inflicted, and not seperate confinement, as explained by the right hon. Gentleman. A concession on this point would more materially facilitate the progress of the Bill than an extra sitting of the Committee.

Mr. DILLWYN said, that the term separate confinement did not appear to be well understood—its former meaning having been altered, and the right hon. Gentleman had explained to the Committee what it meant. Therefore, if it was not a well understood term—and the right hon. Gentleman had explained the meaning of it—the explanation might be accepted and introduced into the Bill.

MR. GATHORNE HARDY thought it would be far better to leave the question until the Committee which was to meet had had an opportunity of considering the whole of these punishments and into the general question of Prison Rules. That Committee was about to sit, and the moment this Bill became an Act, it would have an opportunity of considering all the suggestions which hon. Members had made, and of bringing them before the House in a satisfactory shape. At present, his information was that these punishments were not of that severe character which some hon. Gentlemen seem to suppose them to be. The Director of Convict Prisons did not think they were unnecessarily severe.

SIR PATRICK O'BRIEN said, the question was not what was satisfactory to the Director of Convict Prisons, but whether the matter was not one which the Committee ought fully and fairly to consider. The right hon. Gentleman, who had stated his view of the question succinctly to the Committee, had not, he believed, objected to the use of the word "separate;" and he could not understand why the fact of the introduction of the word "separate" into the clause should not meet the wishes of those who were opposed to the present system of solitary confinement, and thus facilitate the passing of the Bill.

MR. H. SAMUELSON thought it was perfectly clear, from the language of the clause itself, that it was the solitary system to which it was intended recourse should be had under the operation of the clause. It was also of importance that it should be borne in mind that the clause would have to be put in force in prisons which were not arranged on the modern principle, but which were furnished with separate cells, in which sometimes healthy, strong men were confined, only to leave them perfectly broken down. It seemed to him, he might add, that some hon. Members were disposed to take too lenient a view of the offence of insubordination; but, for his own part, he did not think a soldier could be guilty of a much more serious offence.

MR. O'SHAUGHNESSY had no wish to offer any unnecessary opposition to the Bill. He should like, however, to know whether, if the word "solitary" were allowed to remain in the clause, the right hon. Gentleman the Secretary of State for War would undertake to prepare Prison Rules which would define the nature of the punishment which would be inflicted under the name of solitary confinement. If he would do that, the Bill might stand as it was; while there might be such a definition of what was meant by the words "solitary confinement" as would meet the views of his hon. Friend who moved the Amendment.

MR. SULLIVAN thought it better that the question at issue should be frankly dealt with at once. The right hon. Gentleman the Secretary of State for War had stated that the words "solitary confinement" did not mean that sort of punishment to which he and his hon. Friends near him so strongly objected. That being so, why should not the right hon. Gentleman give effect to the noble and humane view which he entertained by embodying it in the Bill itself?

Mr. O'CONNOR POWER (*amid loud cries of* "Divide, divide," *and* "Order, order!") said, he was quite willing that those who only contributed to the debate in the manner they had just heard should have an opportunity of gratifying their feeling. He did not object to the contribution the hon. Baronet (Sir James Elphinstone) had given to the debate. He merely rose for the purpose of reminding the Committee that they were constantly hearing from Ministers profusions of sympathy with their views—professions of humanity. Really the Secretary of State for War had been routed from every position which he had taken up in the present discussion. [SIR JAMES ELPHINSTONE: No, he has not.] He left the hon. Baronet to make good his position; and if he could cover the retreat of the right hon. Gentleman in right honourable fashion, he would be glad for the reputation both of the Army and the Navy. The right hon. Gentleman had given the Committee his definition of solitary confinement, but when asked to embody the definition in the Bill he refused. The Secretary of State for War, he might add, had no authority whatever to frame the Prison Rules. That was a duty which devolved upon the Secretary of State for the Home Department; so that the Committee would really have no security that those rules would give effect to the wishes of those who were opposed to the form of punishment prescribed by the clause. He hoped, therefore, the Committee would agree to the very reasonable Amendment which he proposed.

Sir JOSEPH M'KENNA said, that if the Secretary of State for War would draw up a minute which would make it perfectly clear to the prison authorities that what was really meant by solitary confinement was that which the right hon. Gentleman himself had stated, he should not like to persevere in opposing the Bill. Otherwise he thought the Committee would be stultifying themselves if they allowed to remain on the Statute Book words conveying a different meaning from that which the right hon. Gentleman desired to put upon them.

Question put.

The Committee *divided*:—Ayes 190; Noes 45: Majority 145.—(Div. List, No. 68.)

Motion made, and Question proposed, "That the Clause stand part of the Bill."

Mr. PARNELL pointed out that there existed at present no rules by which the proper treatment of prisoners could be secured, and that the whole matter would seem to be left entirely to the discretion of the prison authorities. Prisoners were consequently left very much at the mercy of the warders. He hoped, therefore, the right hon. Gentleman the Secretary for War would lay upon the Table of the House Rules bearing upon the treatment of those prisoners who would come under the operation of the Punishment Clauses of the Bill.

Mr. GATHORNE HARDY said, he considered the statement which had been made to him by the Director of Prisons as to the alleged harsh treatment of prisoners was one upon which he was bound to rely. He had no power, he might add, to frame Rules for the prisons in question. They were not under his jurisdiction. They were the general prisons of the country, and the military prisons were occupied for short periods. The latter, even, were practically speaking, not under his jurisdiction, but under that of the Inspector General of Convict Prisons. He would, however, confer on the subject with his right hon. Friend the Secretary of State for the Home Department, who might, in conjunction with Sir Edmund Du Cane, be able to give effect to the wishes of the hon. Gentleman and his Friends, so that they might be assured that the punishment of solitary confinement was carried out in the way in which it had been represented to him it was.

Mr. ASSHETON CROSS said, he was perfectly willing to communicate with Sir Edmund Du Cane on the subject. He could assure hon. Members that things not only were as they had been represented to his right hon. Friend, but that they would continue to be so.

Mr. PARNELL said, he was very glad to have the assurances which had just been given to the Committee by the Secretary of State for War and the Secretary of State for the Home Department; for though he might trust them, that was an entirely different thing from trusting Sir Edmund Du Cane, whom he considered entirely unworthy of confidence.

Colonel MURE rose to Order. The hon. Member had stated in that House that a man holding the very responsible position which Sir Edmund Du Cane occupied was unworthy of that position, without alleging any reasons to justify such a statement. He should like to know from the Chairman whether the use of such language was not an infringement of the rules of debate?

The CHAIRMAN said, the point to which the hon. and gallant Member referred was one which frequently occurred in the course of debate. Hon. Members on their own responsibility—and, it must be presumed, with a full knowledge of the circumstances of the case—made charges against a person who was in the employment of the Government, and who was not present to rebut those charges; but he was bound to add that the House had accepted, on the part of its Members, the belief that they would not make such charges without a full sense of the responsibility which they incurred. He need not point out to the hon. Member for Meath that there were other occasions for making such charges when they could be made the subject of debate, which they could not in the present instance; but if the hon. Member believed the charge was one which he would not wish to withdraw, he could not say that the language which the hon. Member had used was contrary to the Rules of the House.

Mr. ASSHETON CROSS said, he could not allow the statement which the hon. Member for Meath had made with regard to Sir Edmund Du Cane to go forth to the public without giving it a complete contradiction. He had watched Sir Edmund Du Cane ever since he had the honour of holding the office which he now occupied, and he did not believe that a more humane man existed, or a more valuable public servant. But as a Commission was at present sitting to inquire into the conduct of convict prisons, it would, he thought, have been wiser, more charitable, and more in accordance with the feeling of the House, if the hon. Member had waited until the Report of that Commission had been presented to the House before making such a charge. He could not, however, permit it to be made without assuring the Committee that he did not believe a better officer than Sir Edmund Du Cane existed.

MR. SULLIVAN said, that, while he was willing to accept the assurances of the Secretary of State for War and the Home Secretary without the slightest reservation, he was at a loss to understand what the charge was which the Chairman seemed to think his hon. Friend the Member for Meath ought to withdraw.

THE CHAIRMAN said, that the point of Order which had been raised had been decided in this way—that the hon. Member for Meath, acting on his own responsibility, was at liberty to withdraw or adhere to the charge which he had made against Sir Edmund Du Cane. It was not, he might add, for the hon. and learned Member who had just spoken or any other hon. Member to enter, on the present occasion, into a discussion of the motives or the assertions of the hon. Member for Meath.

MR. SULLIVAN wished to know, for the information of the Committee, what the charge was which the Chairman said it was for his hon. Friend the Member for Meath to withdraw or adhere to? He was not aware that his hon. Friend had made any charge.

THE CHAIRMAN said, that he had already stated twice to the Committee that he did not call upon the hon. Member to withdraw the charge.

MR. PARNELL thought the hon. and gallant Member who had risen to Order (Colonel Mure) had entirely misunderstood what he really had said. What he had said was, that although he could put confidence in the statement of the Secretary of State for the Home Department or the Secretary of State for War, yet he did not feel himself called upon to extend the same confidence to Sir Edmund Du Cane. He would not go fully into a question of the kind on that occasion. An opportunity would shortly be afforded him of entering into the subject of convict treatment, and of that opportunity he meant to avail himself to the fullest extent, to prove the justice of that which he had stated that evening. The Committee had, he might add, received an undertaking from the Secretary of State for War that he would take care that the treatment of prisoners sentenced to solitary confinement should be such as it had been represented to him by Sir Edmund Du Cane to be. He did not exactly know what representations Sir Edmund Du Cane had made; but he wished to be satisfied that the prisoners received the ordinary prison diet who were placed in separate confinement, and that they were not put on short rations of bread and water.

MR. O'SULLIVAN said, he knew from experience what solitary confinement meant; and his belief was that no man, however strong, could endure it for a period of seven days without material injury to his constitution. The period of such punishment should, in his opinion, be reduced to two or three days at a time, or the punishment itself should be altogether abolished.

MR. MITCHELL HENRY said, the Secretary of State for War had described, in distinct and positive terms, what was the kind of solitary confinement which he understood was inflicted in the prisons in question, and had stated he would feel bound to see that the description of it which he himself had given to the Committee would be carried into effect. That being the case, any further discussion of the question was, he thought, unnecessary, and he hoped it would not be prosecuted any further, for he had the fullest confidence in the right hon. Gentleman's assurances.

MR. O'CONNOR POWER said, he could scarcely give his assent to what had been stated by the hon. Gentleman who had just spoken. He must inform him that it was not open to Sir Edmund Du Cane to violate the Prison Rules, and that solitary confinement was what it had been described to be by his hon. Friend the Member for Meath (Mr. Parnell). There was no use in fencing over the matter. Solitary confinement meant a diet of bread and water. He therefore could not, for one, assent to the clause, and must record his protest against such barbarous legislation. As to the manner in which Sir Edmund Du Cane discharged his duties, perhaps, as the Secretary of State for the Home Department had undertaken to defend that officer, the Committee would allow him to call their attention to the evidence of one of the witnesses mentioned in Sir James Ingham's Report. Corporal Thomas Chambers who, when he first was sent to prison, was a strong, healthy man, stated that his health had become so broken by the treatment to which he was subjected there that he could scarcely, when writing, guide his pen. The witness added that he had several times petitioned the Secretary of State for the Home Department to order an inquiry to be made into the exceptional treatment under which he suffered, but that he had always received "no ground" for an answer. Another man had been done to death by the treatment which he had received. He might be told that the police magistrate's report entirely contradicted that statement; but he would remind the Committee that the report, which stated that it was incorrect to say that O'Donovan Rossa had been handcuffed, was afterwards shown to have been completely unfounded.

The CHAIRMAN said, that the case of O'Donovan Rossa had nothing to do with the conduct of our military prisons.

Mr. O'CONNOR POWER said, the prisoner from whose evidence he had been quoting had been confined in a military prison, and that he had referred to his case in order to let the Committee see what value was to be set on the reports of police magistrates. Corporal Chambers' evidence went on to show that complaints made to the governor of the prison were entirely useless, and that they only led to the infliction of extra suffering. That was really the state of the matter; and he could assure the Secretary of State for the Home Department that the system of denying every statement of the kind which was brought forward in that House was a fatal system. He, for one, was not prepared to accept such denials, because the facts in opposition to them were overwhelming. He hoped, he might add, that with a view of effecting an improvement in a barbarous enactment, the Committee would vote against the clause.

Dr. LUSH said, he trusted no further obstruction would be offered to the passing of the clause. He, for one, was perfectly satisfied with the assurance which had been given by the Secretary of State for War, and should feel it to be his duty not to vote against it.

Major NOLAN said, he could not possibly record his vote against the clause, inasmuch as he would thereby be doing what in him lay to do away with the power possessed by a commanding officer of commuting the sentence of death.

Mr. H. SAMUELSON said, he thought the Committee ought to be satisfied with the assurance of the Secretary of State for the Home Department, that for the future what was known as separate, as opposed to "solitary," punishment should be carried out.

Mr. O'CLERY said, he quite concurred with his hon. and gallant Friend the Member for Galway (Major Nolan) in the opinion that in voting against the clause the Committee would be recording its decision against the power of a commanding officer to commute the sentence of death. He must, at the same time, observe, that he did not think any hon. Member by voting against the clause would err very much on the side of cruelty, for a soldier in the French Army would prefer to be shot rather than to be flogged or confined, as soldiers were in England.

Mr. DILLWYN said, he had in the last division voted with the minority; but he should now, after the assurances of the Secretary of State for War and the Secretary of State for the Home Department, vote with the Government. He felt confident that these assurances had not been given without the sincere intention to carry them into effect.

Mr. BENETT-STANFORD said, he merely rose to protest against the language of the hon. Member for Mayo (Mr. O'Connor Power) with respect to the prisoner M'Carthy. If M'Carthy had been murdered at all, it was owing to the over-kindness of his friends in Dublin.

Mr. O'CONNOR POWER said, that so long as the Prison Rules remained as they now were, it was not in the power of the Government to make any such concession as some hon. Members seemed to think had been made. If, he might add, the clause were passed in its present shape, nothing could be done for the next 12 months in the way of altering that odious form of prison discipline against which he and his hon. Friends near him had over and over again protested.

MR. PARNELL said, it must not go forth to the public that he and those with whom he acted were refusing to accept a reasonable concession. It was, in reality, the Government who were open to that charge. It was for the Secretary of State for the Home Department to give an undertaking that he would lay on the Table of the House Rules regulating the treatment of the prisoners in question while suffering solitary confinement. If the right hon. Gentleman would do that, in conformity with the assurance of the Secretary of State for War on the subject, he, for one, would be satisfied.

MR. SULLIVAN said, any further opposition to the clause ought, in his opinion, to be waived, for he entertained no doubt that the assurance which had been given by the Government would be faithfully carried into effect. The Secretary of State for War would, perhaps, before the third reading of the Bill, lay on the Table of the House a Minute embodying the view on the subject which he had stated that evening.

MR. O'DONNELL said, the Committee seemed to him to be placed in a somewhat awkward position. The personal assurances which had been given by Ministers in the course of the discussion, though made no doubt with perfect sincerity, were, he thought, entirely unsatisfactory. The Director of Prisons must obey the Rules laid down for his guidance, so that the emendation suggested by the Secretary of State for War could not be carried out without a change of those Rules. That being so, the hon. and learned Member for Louth (Mr. Sullivan) had suggested that a Minute should, before the third reading of the Bill, be laid on the Table of the House, embodying the proposed emendation; but, notwithstanding all that had been said by him and other hon. Members, the Government sat dumb. When the right hon. Gentleman gave them to understand that he was going to bring some influence to bear upon Sir Edmund Du Cane, they knew right well that the only way in which those suggestions could be acted upon was by embodying them in a binding rule. His words were straightforward enough; but why did he not make his acts to correspond?

MR. O'SULLIVAN asked his hon. Friend not to press this Amendment to a division, because, if they succeeded in rejecting this clause, they withdrew from the commanding officer the power of remitting the punishment of death.

MR. O'CONNOR POWER said, the hon. and learned Member for Louth (Mr. Sullivan) had made an impracticable suggestion. The Home Secretary had told them that he was obliged to lay the Prison Rules upon the Table of the House 40 days before they became law. Last year they endeavoured to obtain from the right hon. Gentleman a pledge that he would obtain the sanction of the House to these Rules; but he resisted, and said he would leave them on the Table 40 days before they became law, and then any objection could be raised to them; but everybody knew how futile it was to expect that a small minority could alter the Rules, and get the right hon. Gentleman to accept their terms. If they allowed this clause to be passed in its present shape, nothing could be done to improve the punishment of this class of offenders for the next 12 months; and what guarantee had they that anything would be done then? None whatever. The hon. Member for County Limerick (Mr. O'Sullivan) had repeated the expression of the hope entertained by the hon. and gallant Member for Galway (Major Nolan) that they should not deprive commanding officers of the power of commuting death sentences. It was merely a question of whether a man was to be shot and die in five minutes, or whether he was to be subject to a daily death for 12 or 15 years. It was no mercy at all to commute the death sentence; and, therefore, not one of these appeals should have weight with those who were anxious to oppose the clause.

MR. MITCHELL HENRY thought this opposition to the clause was rather unfair after the Ministerial assurances which had been given. The Secretary of State for War had told them that "solitary" meant "separate" confinement, and that the only way in which it differed from ordinary imprisonment was that the prisoner took his exercise by himself and not with other persons.

Then, the Home Secretary, who had to make these Rules, had also given his personal assurance to the Committee that this Rule, as stated by the Secretary of State for War, should be carried out. How was the Business of that House to be carried on if they were not to accept the assurance of two of the principal Members of the Ministry, given personally before the Committee on a matter of that kind? For his part, he should, of course, vote with the Government if the question was unwisely pressed to a division. If, when fair concessions were made, they were not to be accepted, he could not see any hope of doing any real good in that House, as they would turn every hon. Member against them.

Mr. PARNELL said, the doctrine of the hon. Member for Galway (Mr. Mitchell Henry) might be suitable for an evening tea-party, but not for obtaining concessions from the Government or the House. The hon. Member was actuated by the best intentions; but they all knew where such intentions generally led to. His hon. Friend had a great belief in the Government; but why did not the Government show some little belief in itself? All that he, and those who acted with him, asked was that the views and intentions of the Government should be put in the form of a Rule and laid on the Table of the House, so that they might know what their views and intentions really were, and not have to wait until another military prisoner died by slow torture in penal servitude. This might be called a course of opposition; but he said it was a reasonable course of opposition, and one in which they would persist, whenever the Mutiny Bill was brought forward in its present fiendish shape.

Mr. O'DONNELL ventured to observe that, so far, the declarations of the Secretary of State for War and the Home Secretary were satisfactory. They were deliberately choosing an unconstitutional method of carry out their reforms. They declined to introduce a necessary Amendment in terms into this Act; but they engaged, without the sanction of the law, so to interfere with the carrying out of the Prison Rules that, in practice, there would be nothing to complain of. To maintain a bad law on the condition that that bad law should not be acted upon in its bad features, was a most unsatisfactory and unconstitutional manner of meeting the requirements of the country. No matter how humane the Secretary of State for War or the Home Secretary might be, they ought to take steps to show their readiness to meet the wishes of hon. Members around him in a legal manner, and not leave them dependent upon mere personal assurances.

Question put.

The Committee *divided*:—Ayes 214; Noes 5: Majority 209. — (Div. List, No. 69.)

Clause 17 (Embezzlement, &c. of stores punishable by penal servitude, or by fine, imprisonment, &c.)

Mr. O'DONNELL asked what was the necessity for including minor offences in the provisions of military law? He thought that mere petty offences—such as felony or embezzlement—should be dealt with by the civil tribunals, except when in case of war there were no civil tribunals at which the soldier could be tried.

Mr. GATHORNE HARDY said, it must be obvious to everyone that the discipline of the Army could never be maintained at all unless there was rapid punishment for soldiers guilty of felony and embezzlement.

Clause *agreed to*.

Clause 18 (As to execution of sentences of penal servitude in the United Kingdom).

Mr. O'DONNELL proposed to add the words—

> "Provided, always, That soldiers convicted for military offences shall not be imprisoned and shall not undergo their term of penal servitude in company with ordinary prisoners."

He urged the principle, which was becoming more and more generally recognized amongst all civilized people at the present day, outside the ranks of the Government Party, that there should be as much classification of criminals as possible, so that criminals guilty of very slight offences should not be thrown into the company of hardened convicts—that persons guilty of an offence which, however serious to the State, was not a degrading offence, should not have to work out his punishment under degrading and brutalizing conditions fit only for the ordinary ruffian. He would remind the Committee of the evidence coming before the House in connection with Sergeant M'Carthy, as to how far his death was accelerated by his prison treatment. M'Carthy was almost a perfect type of the brave, loyal, and discipline-abiding Irish soldier. No one, however opposed to the principles for which M'Carthy sacrificed everything, even his military obligations, could read the simple medical account of his wounds received in defending the British flag, and in the performance of acts of valour, without feeling that such a man deserved personal respect. No doubt, he had laid himself open to punishment. The ordinary military mode of execution—that of having a man shot by a platoon of his comrades — was consonant with the military character; but what could be said to making a stainless soldier—a man of brilliant valour like M'Carthy — herd with the lowest and vilest criminals, the scum of civilization? Why, everyone must admit that it was an uncalled-for aggravation of his punishment, which it was neither common justice nor Christian charity to inflict. If hon. Members would consult the report—the very imperfect report —of Sir James Ingham, with reference to the treatment of M'Carthy, they would see that this political soldier had had to perform the basest and most menial offices, in company with burglars, commuted murderers, ravishers — in short, every species of the worst scoundrels. One of his tasks, for instance, was to remove the night slops of the filthiest ruffians. Surely, every honest man must feel that that was not a punishment which really met the objects contemplated by the Legislature, or which ought to be inflicted on a soldier guilty of a purely political offence. So far from acting beneficially, it was calculated to excite sympathy with the offender, and to deepen the popular detestation of a Governmental system of punishment which had to rely upon such abominable methods. What he wanted was a classification of offenders, which should not shock that natural sense of justice which forbade us, no matter at what Governmental dictates, to associate a military offender with an ordinary ruffian. Here he would give the Government a little historical reminiscence. However dangerous military offences and military treason might be, they had, in their day, done good service to the cause of Constitutional freedom in this country—as, for instance, in the Revolution of 1688. He begged to move a Proviso to the effect that soldiers convicted of purely military offences should not be imprisoned or undergo terms of penal servitude in company with ordinary criminals.

Mr. O'CONNOR POWER, having already expressed his opinions on the subject of the classification of prisoners, would not weary the Committee by a repetition of them. He would only express a hope that the right hon. Gentleman would see his way to take some step in the direction indicated by the hon. Member for Dungarvan (Mr. O'Donnell).

MR. PARNELL also trusted the right hon. Gentleman would give his attention to the subject, which was one of great importance. It was a great anomaly that there should be no attempt in this Bill to distinguish military from civil offenders, or, rather, military from civil offences—for, of course, there was a great difference between the soldier who was guilty of a mere breach of discipline, and one who robbed his officer's quarters. Considering the great variety of offences, some system of classification was clearly required. He did not say that the Amendment proposed was exactly the right one — but he hoped the right hon. Gentleman would consider the subject.

MR. GATHORNE HARDY said, some system of classifying prisoners would, no doubt, be adopted. However, he entirely objected to the Amendment. The hon. Member seemed to consider military offences as quite different from other offences; whereas military offences were sometimes marked by the worst characteristics, and did not entitle their perpetrators to treatment at all different from that of ordinary criminals.

Amendment *negatived.*

MR. O'CONNOR POWER thereupon moved to report Progress, seeing that they had been discussing the Bill since 6 o'clock. The perception of hon. Members was not improved by these long sittings; and he thought it would be well if they came fresh to the consideration of the remaining clauses of the Bill. No doubt, the necessity for passing these Mutiny Bills was urgent; but he believed he was correct in saying that no harm would be done if they passed any time before the 25th of April. There was no class of Bill which it was more undesirable to press through at a late hour;

and, as they had still two weeks before them for discussion, he trusted the Committee would not object to his Motion.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. O'Connor Power.*)

MR. GATHORNE HARDY said, no one was more conscious than he of the number of hours spent over this Bill. Without imputing motives to anyone as to the reasons he might have had for opposing it, he would undertake to say that on no occasion, or, at all events, very rarely, in the history of Parliament had opposition of such a kind been offered. Certain hon. Members had spoken eight or nine times on the same point, not merely to call attention to it, but in long speeches, embodying arguments that had already been used; and if those hon. Members thought proper to continue to discuss the clauses of the Bill in the same manner, there would hardly be an hour or a minute to spare of the time available for discussion before the date at which the Bill must pass. On Friday night the Committee on it was fixed for Monday evening. Then, as hon. Members knew, it was objected to, because somebody or other was absent. But was the Business of that House to be regulated by two or three people? Was a Committee to be postponed to suit the convenience of some hon. Member who might be in a distant part of the country? It was not his (Mr. Hardy's) business to inquire whether hon. Members were present or not—his business was to put the Notices on the Paper, and to act on them; and he felt bound to say he had been much surprised at some of the language used respecting him, because he had simply followed the ordinary course of proceeding. In consequence of the objections raised by certain hon. Members to this Bill, which had previously been regarded almost in the sense of Supply, he had promised that a Committee should investigate the whole subject of the Law of Mutiny and Discipline in the Army, and that their conclusions should duly come before Parliament in the form of a Bill. Yet he was met by just the same opposition as last year—an opposition which had surprised him even from some of the hon. Members who offered it. Amongst other things, it was proposed—he could hardly mention it without smiling—that the Bill should be applied to the Native Army in India, without any attempt being made to show ground for such a step, or for the extension of a system which one hon. Member had said made it disgraceful to enter the English Army. He was not going to put the Committee to the inconvenience of walking to and fro in the Lobbies as before. A time might come when such a course would be necessary. It might be necessary, indeed, to take further steps. At present, however, he would content himself with proposing to take the present clause, and the succeeding ones, until an Amendment was reached, when Progress would be reported, and a Morning Sitting fixed for that day.

MR. DILLWYN reminded the right hon. Gentleman who had just brought so serious an indictment against hon. Members, that last week the Chancellor of the Exchequer had promised that the Mutiny Bill should not be taken till Monday, whereas it was read a second time on Friday night.

THE CHANCELLOR OF THE EXCHEQUER explained, that what passed was this. On Friday night he was asked what Business would be taken on Monday; and his reply was the Mutiny Bill and Supply. Now, that was exactly what had been put on the Paper. The Mutiny Bill stood for second reading on Friday night; and, assuming that the second reading would be agreed to, he said a discussion upon it would take place on Monday on going into Committee, which was the fact.

MR. DILLWYN contended that the natural interpretation of the Chancellor of the Exchequer's statement on Friday was, that the next stage of the Bill—namely, the second reading—would be taken on Monday. At all events, that was the understanding on his—the Opposition—side of the House, and the consequence was that hon. Members had not been able to put down the Amendments the Committee had been discussing that evening. He did not approve of the conduct of certain hon. Members; but he did not think they were altogether open to the serious imputations made against them by the Secretary of State for War.

MR. MONK thought it due to the Government to say that he and other Members on that—the Opposition—side of the House had fully understood that it was the next stage of the Mutiny Bill after the second reading which was to be taken on Monday. The second reading on Friday night was moved at a reasonable hour; and hon. Members, in his opinion, had had ample time to put down Amendments.

MR. O'CONNOR POWER did not understand what motive the Secretary of State for War had in giving them such an extraordinary summary of the Business as he had done. It had been stated that hon. Members on that side of the House had misunderstood the words of the Chancellor of the Exchequer on Friday evening; but the Secretary of State for War entirely ignored that fact for the purpose of creating a prejudice against certain hon. Members. Now, he (Mr. O'Connor Power) protested against such conduct. The right hon. Gentleman, furthermore, said that no reasons had been given in support of the proposal to extend the Bill to India. Now, the hon. Member for Dungarvan (Mr. O'Donnell) proved in his speech that he knew more of the subject than the Secretary of State for War, and all the hon. and gallant Gentlemen present. During his speech, the hon. Member for Dungarvan was improperly called to Order by two hon. and gallant Gentlemen, whose notions on the subject were evidently very confused.

THE CHAIRMAN pointed out that the hon. Member was travelling away from the question before the Committee.

MR. O'CONNOR POWER then expressed his concurrence in the proposal of the right hon. Gentleman that the Committee should stop at the first Amendment, and consented to withdraw his Motion.

MR. PARNELL remarked, that the Secretary of State for War had used something like a threat, as he had also done in a speech he made during the Recess, when he said that certain hon. Members, if they persisted in their course of conduct, would be crushed. Now, he was well aware that unless the Irish Members agreed to model their ideas on those of hon. Members opposite, the power of the House would be set in motion against them. But it was they who had induced the right hon. Gentleman to agree to the appointment of a Committee of Inquiry. The right hon. Gentleman took credit to himself for the good the Irish Members had done, while, at the same time, he denounced their conduct as unheard of. If the Irish Members were not to have the rights and privileges of other Members, the fact should be plainly stated, and they would know what they had to deal with.

MR. O'DONNELL complained that the Secretary of State for War had misrepresented his (Mr. O'Donnell's) statements with regard to India. He (Mr. O'Donnell) distinctly admitted that there were many clauses in the Bill which could apply only to white regiments; but he stated that he had reason to believe—and he adduced some reasons for believing—that the adoption of the Bill would effect a great improvement in the state of affairs in India. He protested, not against the right hon. Gentleman's infirmity of temper, but against what he considered the very remarkable inaccuracy of his statement.

Motion, by leave, *withdrawn.*

Clause *agreed to.*

Clause 19 (As to execution of sentences of penal servitude in the colonies, India, or elsewhere out of Her Majesty's dominions.)

MR. O'DONNELL inquired of the Secretary of State for War, whether notice had been taken of complaints which had appeared in Indian papers as to undue severity being shown to white soldiers in their removal from one prison to another? They were said to be marched in a public manner, manacled; and it was alleged that there was no necessity for manacling them in the great majority of cases. Attention had also been called to the matter in some of the English papers.

MR. GATHORNE HARDY said, no complaints of the kind had reached him.

Clause *agreed to.*

Clauses 20 and 21 *agreed to.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

THE CHANCELLOR OF THE EXCHEQUER moved that the House meet To-morrow, at 2 o'clock.

MR. RYLANDS protested against such a Motion being made without due Notice—a course which he characterized as most unusual and most inconvenient. If a Morning Sitting were absolutely necessary, the House would not refuse it; but the Government had another day at their disposal this week—namely, Thursday—which they had assigned to the County Government Bill, for which there was no urgent necessity at all, and which might just as well be taken after, as before, Easter. He suggested that the Mutiny Bill should be taken on Thursday, and that the County Government Bill should stand over.

THE CHANCELLOR OF THE EXCHEQUER assured hon. Members that a Morning Sitting was quite as inconvenient to the Government as to them; but it was absolutely necessary to resort to it on this occasion, inasmuch as they had no choice but to pass the present Bill and the Marine Mutiny Bill before the Easter Recess. After a whole night's discussion, they had not got through one-fifth of this Bill, and the Marine Mutiny Bill was still to come. In addition, they had a certain amount of Supply to get through, and Monday next was already promised for a Bill in which great interest was taken. The time at the disposal of the Government for the passing of these Mutiny Bills was, therefore, extremely limited. The hon. Member spoke about Thursday; but it might be necessary to have Thursday as well as the Morning Sitting now asked for, and, possibly, Friday morning as well. If the ordinary Business of the House was to be proceeded with at unusual length, it was necessary that the House should sit at unusual hours.

MR. PARNELL hoped, that whatever was done, a fair opportunity would be afforded him of stating his views. He wished his constituents and the public to know what he had to say on these matters. A month ago he gave Notice of his intention to discuss the details of the Mutiny Bill, so that the Government ought to have been prepared for the discussion which had taken place, and ought to have made their arrangements accordingly.

MR. WHITWELL remarked, that this was a most unusual period of the Session at which to take Morning Sittings, and that the inconvenience of this course was all the greater from its being taken without Notice. He trusted that if the Government took the Morning Sitting they would not devote Thursday to the County Government Bill.

MR. DILLWYN also complained of the Motion being made without Notice, remarking that this was an unusual course to take at any period of the Session.

Motion *agreed to.*

Mr. Rylands

POOR LAW AMENDMENT ACT (1876) AMENDMENT BILL.

(*Mr. Mellor, Mr. Merewether, Sir Charles Forster, Mr. Phipps, Mr. Cowan, Mr. Hibbert*).

[BILL 103.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That the Speaker do now leave the Chair."—(*Mr. Mellor.*)

MR. PELL remarked, that hon. Members had not had time to study the Amendment on the Paper. He had no wish to offer a factious opposition to the Bill, but he thought it ought not to be taken at that time.

MR. MELLOR said, it was a Bill of great importance, and was entirely unopposed at present. If the hon. Member had any objections to state to it he could do so on the Report.

MR. WHITWELL pointed out the Amendments did not affect the principle of the Bill. He trusted the hon. Member (Mr. Pell) would not oppose the Motion.

Motion *agreed to.*

Bill *considered* in Committee, and *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 134.]

FOUNDERING OF H.M.S. "EURYDICE."

OBSERVATIONS.

MR. W. H. SMITH: Before the House adjourns, I think it would be agreeable to the House that I should state that Her Majesty desires to express Her deep sympathy with the House in the great calamity that has fallen upon the Navy and upon this country in the loss of the *Eurydice,* and She has telegraphed to me in these words—

> "The Queen would wish Mr. Smith to make known Her grief at the terrible calamity of the *Eurydice,* and Her heart-felt sympathy with the afflicted parents and relatives."

I am sure the whole country will mourn with Her Majesty at the great loss which the country has sustained, and which Her Majesty has sustained, in the loss of so many devoted servants.

SITTINGS OF THE HOUSE.

Resolved, That whenever the House shall meet at Two of the clock, the sitting of the House shall be held subject to the Resolutions of the House of the 30th day of April 1869.—(*Colonel Stanley.*)

House adjourned at a quarter before Two o'clock.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCXXXVIII.

SECOND VOLUME OF SESSION 1878.

Explanation of the Abbreviations.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st. Div.*, 2*nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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Factories and Workshops, Comm. *cl.* 65, 348
Income Tax, Res. 397
India—Indian Taxation, 450
  Military Service, 300
Indian Press Law, Res. 1604
Navy Estimates—Military Pensions and Allowances, 1476
Parliament—Order of Business, 455
Roads and Bridges (Scotland), Comm. 1775 ; *cl.* 3, 1796 ; *cl.* 4, 1805, 1808, 1809 ; *cl.* 9, Amendt. 1821
Supply—Epping Forest Commission, 1616
  Local Government Board, 1550
  Temporary Commissions, 1613, 1615
Turkey—Insurrection in the Greek Provinces, 1748

Campbell, Mr. C. M., *Staffordshire, N.*
Factories and Workshops, Comm. *cl.* 3, 91 ; *cl.* 14, 118

Campbell-Bannerman, Mr. H., *Stirling, &c.*
Army Estimates—Land Forces, 695
Army Promotion and Retirement—Regimental Ranks of the Line, 649

Camperdown, Earl of
Metropolitan Board of Works (Election of Members), 2R. 1021

Canterbury, Archbishop of
Ecclesiastical Benefices, Address for a Royal Commission, 964

Capital Punishment Abolition Bill
(*Mr. Pease, Mr. Leeman, Mr. M'Laren*)
c. Moved, "That the Bill be now read 2°" *Mar* 13, 1237 [Bill 19]
Amendt. to leave out "now" and add "upon this day six months" (*Mr. Grantham*); Question proposed, "That 'now,' &c. ;" after debate, Question put ; A. 64, N. 263 ; M. 199 (D. L. 47)
Words added ; main Question, as amended, put, and agreed to ; 2R. put off for six months

Cardwell, Viscount
Army—Mutiny Act, 1836
Army Recruiting—Fraudulent Re-enlistment, 1388
Dover Harbour, Motion for Papers, 1937
Eastern Question—Russia and the Porte—Treaties of 1856 and 1871, Res. 292

Carlingford, Lord
Railways—Continuous Brakes, 1283

CARNARVON, Earl of
- Eastern Question—Treaties of 1856—Greece, 856
- Science and Art—Museum of Casts from the Antique, 1941
- Victoria, Colony of—Ministerial Crisis, 1393

CARTWRIGHT, Mr. W. C., *Oxfordshire*
- Customs—Wine Duties, Motion for a Select Committee, 559
- Declaration of Paris, Res. 1885
- National Portrait Gallery, Res. 771, 1749

Cattle Plague
- *Contagious Diseases (Animals) Act, 1869—Outbreak at Alford,* Question, Sir Wilfrid Lawson; Answer, Viscount Sandon *Mar* 11, 1042
- *Outbreak in Lincolnshire,* Question, Mr. Chaplin; Answer, The Chancellor of the Exchequer *Mar* 8, 976
- *Transit of Cattle by Land and Sea,* Question, Observations, Earl De La Warr; Reply, The Duke of Richmond and Gordon *Mar* 11, 1031
  - Moved for Copy of Orders issued by the Privy Council to regulate the transit of cattle by land and sea (*Earl De La Warr*); Motion agreed to; Ordered to be laid before the House

CAVENDISH, Lord F. C., *Yorkshire, W.R., N. Div.*
- Factories and Workshops, Comm. 81; *cl.* 11, 99; *cl.* 13, 112; *cl.* 16, 124, 127; *cl.* 17, 312; *cl.* 22, 315; *cl.* 27, 318; Amendt. 320; *cl.* 47, 336; *cl.* 65, 350; *cl.* 68, 460; *cl.* 69, 469, 473; *add. cl.* 501, 504, 595, 606, 613; Schedule 1, 883; Schedule 4, 890; Consid. *add. cl.* 1910; *cl.* 103, Amendt. 1912; *cl.* 104, Amendt. 1913

CECIL, Lord E. H. B. G. (Surveyor General of Ordnance), *Essex, W.*
- Army—Defences of the Clyde, 1752
- Breech-Loading Ordnance, Res. 1151
- Coast Defence—Submarine Mines, 1838
- India—Fort George Water Supply, 1743

Ceylon
- *Ecclesiastical Votes,* Question, Mr. Alderman M'Arthur; Answer, Sir Michael Hicks-Beach *Mar* 11, 1045
- *Food Taxes,* Question, Mr. Potter; Answer, Sir Michael Hicks-Beach *Mar* 11, 1041

CHADWICK, Mr. D., *Macclesfield*
- Income Tax, Res. 394

CHAMBERLAIN, Mr. J., *Birmingham*
- County Government, Comm. 908
- Endowed Schools (Birmingham Scheme, &c.), Motion for an Address, 785
- Factories and Workshops, Consid. *add. cl.* Motion for Adjournment, 1910
- Supply—Temporary Commissions, 1614

CHAMBERS, Sir T., *Marylebone*
- Colonial Marriages, 2R. 421

CHANCELLOR, The LORD (Lord CAIRNS)
- Ecclesiastical Benefices, Address for a Royal Commission, 968
- Entail Amendment (Scotland), 2R. 533
- Matrimonial Causes Acts Amendment, 2R. 1138
- Parliament—Business of the House, Res. 621, 633
- Patent Laws, 1580
- St. Katherine's Hospital—Royal Commission, 1871, 1383
- Territorial Waters Jurisdiction, 2R. 140; Comm. 952

CHANCELLOR of the EXCHEQUER (Right Hon. Sir S. H. NORTHCOTE), *Devon, N.*
- Bar Education and Discipline, 158
- Cattle Plague—Outbreak in Lincolnshire, 976
- Colonial Marriages, 2R. 429
- Commons, Nomination of Committee, 360
- Copyright and Designs Act—Marks on Pottery and China, 1954
- County Government, 635; Comm. 936, 942, 1403
- Customs—Wine Duties, Motion for a Select Committee, 581
- Declaration of Paris, Res. 1901
- Dog Licences, 1044
- Eastern Question—Miscellaneous Questions
  - Appointment of Lord Napier and Sir Garnet Wolseley to Commands, 453
  - Congress or Conference, 978, 1048, 1365, 1368, 1404;—Advance of the Russian Army, 1288;—Greece, 1400, 1490
  - Fleet in the Dardanelles, 1755
  - Gallipoli, Occupation of, 62, 63, 1145
  - Russia and Turkey—Terms of Peace, 301, 379, 449, 637, 877, 1045, 1596;—Treaties of 1856 and 1871, 537;—Treaty of San Stefano, 1957
  - Straits of the Dardanelles, 1488
- Ecclesiastical Buildings (Fire Insurance), 2R. 1921
- Education (Scotland) Act, 1872, 1489
- Endowed Schools (Birmingham Scheme, &c.), Motion for an Address, 791
- Exchequer Bonds (£1,000,000), Comm. 723
- Grand Jury (Ireland), 1297
- Greece, Kingdom of—Protocol, &c. 875
- Income Tax, Res. 402
- Lord High Register for Scotland—24 & 25 Vict. c. 71, 1486
- Merchant Seamen, Nomination of Committee, 260
- Metropolis Water Works (Purchase), 2R. 1235
- Mr. Gladstone and Mr. Layard—Negroponte Correspondence, Res. 1210
- Mutiny, Comm. *cl.* 1, 2001; *cl.* 18, 2028, 2030 2031
- Navy—Designs of Ships of War, Motion for a Select Committee, 1125
- Parliament—Miscellaneous Questions
  - Business of the House, 1046, 1048, 1401
  - Debates, Reporting of, 1487

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Public Business—Amendments on Supply, 1400 ;—Mines, 1487
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Sale of Intoxicating Liquors on Sunday (Ireland), 756
Suez Canal Dues, 1296
Supply — Civil Contingencies Fund, Repayments to, 1620
Clockmill Estate, Edinburgh, Purchase of, 1525
Epping Forest Commission, 1617
"Hansard's Parliamentary Debates," 1555, 1556
Mint, including Coinage, 1552, 1553
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Queen's University in Ireland, 1571, 1575
Supply, Res. 1048
Turkey—Insurrection in the Greek Provinces, 1748
Turkish Loan of 1855, 1595
United States—Bland Silver Act, 1290
Watermen and Lightermen of the Thames, Petition, 876
Ways and Means—Financial Statement, 976
Weights and Measures, 2R. 721

Chaplin, Mr. H., *Lincolnshire, Mid.*
Cattle Plague—Outbreak in Lincolnshire, 976
County Government, Comm. 919, 921

Charley, Mr. W. T., *Salford*
India—Lord's Day Act, 1491
Metropolis Water Works (Purchase), 2R. Motion for Adjournment, 1231
Parliament—Household Franchise, Res. 200

Childers, Right Hon. H. C. E., *Pontefract*
Army—Auxiliary Forces—Adjutants of Volunteers, Res. 646
Eastern Question—Congress, The, 1370
Navy—H.M.S. "Beagle"—Judicial Powers of Naval Commanders, 1494, 1745
Navy Estimates—Military Pay and Allowances, 1475, 1476
Parliament—Cost of Returns, Res. 1053
Postal Telegraph Service—The Telephone, 58
Seamen and Marines' Widows' Pension Fund, Res. 1501
Suez Canal Dues, 1295
Supply—Civil Services and Revenue Departments, 1629
Mint, including Coinage, 1552

Churchill, Lord R., *Woodstock*
County Government, 634 ; Comm. 900, 904
Mutiny, Comm. 1982

Clive, Mr. G., *Hereford*
Mines Act—Inspectors' Report, 1841
Waste Lands (Ireland), 2R. 24

Coal Mines—See under *Mines*

Cobbold, Mr. T. C., *Ipswich*
Customs—Wine Duties, Motion for a Select Committee, 573

Cole, Mr. H. T., *Penryn, &c.*
Bar Education and Discipline, 2R. 134

Colebrooke, Sir T. E., *Lanarkshire, N.*
Govan Burgh, 2R. 142, 152
Poor Law—Election of Poor Law Guardians, Motion for a Select Committee, 558
Roads and Bridges (Scotland), Comm. 1782 ; *cl.* 3, 1798 ; *cl.* 4, 1803

Collins, Mr. E., *Kinsale*
Factories and Workshops, Comm. *add. cl.* 593

Colonial Marriages Bill [Bill 16]
(*Mr. Knatchbull-Hugessen, Mr. Russell Gurney, Sir Thomas Chambers*)
c. Moved, "That the Bill be now read 2°" *Feb* 27, 406
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Gregory*) ; Question proposed, "That 'now,' &c. ;" after debate, Question put ; A. 182, N. 161 ; M. 21
Div. List, A. and N., 437
Main Question put, and agreed to ; Bill read 2°

Commons
Moved, "That Mr. Stephen Cave be nominated a Member of the Select Committee" (*Sir Henry Selwin-Ibbetson*) *Feb* 25, 358 ; Moved, "That the Debate be now adjourned" (*Mr. Goldsmid*) ; after short debate, Question put, and negatived ; original Question put, and agreed to ; remaining Members nominated, 361

Consolidated Fund (£6,000,000) Bill
(*The Earl of Beaconsfield*)
l. Read 2ª ; Committee negatived, after short debate *Feb* 21, 46
Read 3ª * *Feb* 22
Royal Assent *Feb* 25 [41 *Vict.* c. 1]

Consolidated Fund (No. 2) Bill
(*Mr. Raikes, Mr. Chancellor of the Exchequer, Colonel Stanley*)
c. Resolutions in Committee *Mar* 19
Resolutions reported, and agreed to ; Bill ordered ; read 1° * *Mar* 20
Read 2° * *Mar* 21
Committee * ; Report *Mar* 22
Read 3° * *Mar* 25

Contagious Diseases (Animals) Bill
(*The Lord President*)
l. Read 2ª, after debate *Mar 5*, 725 (No. 22)
Committee; Report, after short debate *Mar* 7, 827; Bill re-committed
Order of the Day for the House to be put into Committee (*on re-comm.*) read *Mar* 12, 1138 (No. 37)
Moved, "That the said Bill be referred to a Select Committee" (*The Lord Emly*); after short debate, Motion agreed to; Order discharged; and Bill referred to a Select Committee
Select Committee nominated; List of the Committee *Mar* 15, 1389
Question, The Earl of Feversham; Answer, The Duke of Richmond and Gordon, 1389

CONYNGHAM, Lord F. N., *Clare*
Supply—Queen's University, Ireland, Amendt. 1578

Coolies—Indian Labourers at La Réunion
Question, Mr. Errington; Answer, Lord George Hamilton *Feb* 21, 59

COOPE, Mr. O. E., *Middlesex*
Public Health—Ventilation of the Law and Police Courts, 1044
Ways and Means—Financial Statement, 976

Copyright and Designs Act—Mark on China and Pottery
Question, Sir Charles Russell; Answer, The Chancellor of the Exchequer *Mar* 25, 1954

CORRY, Mr. J. P., *Belfast*
American Mail Service, Res. 1654

COTES, Mr. C. C., *Shrewsbury*
Police Superannuation, 872

COTTESLOE, Lord
Criminal Law—Alleged Cruelty to a Cat, 1035

COTTON, Mr. Alderman W. J. R., *London*
Colonial Marriages, 2R. 428
Metropolis Water Works (Purchase), 2R. 1231

County Courts Jurisdiction Bill [Bill 100]
(*Mr. Norwood, Mr. Sampson Lloyd, Mr. Watkin Williams, Mr. Waddy*)
c. Order for 2R. read *Mar 5*, 796; [House counted out]
Read 2° *, and committed to the Select Committee on the County Courts Jurisdiction (No. 2) Bill *Mar* 15

County Courts Jurisdiction (No. 2) Bill
(*Sir Eardley Wilmot, Mr. Forsyth*)
c. 2R., debate adjourned *Feb* 27, 439
Debate resumed *Mar* 15, 1478; Moved, "That the Debate be now adjourned" (*Mr. Herschell*); after short debate, Motion withdrawn
Original Question put, and agreed to; Bill read 2°, and committed to a Select Committee [Bill 102]

County Courts Procedure Bill
(*Mr. Rowley Hill, Mr. Clive, Mr. Joseph Cowen*)
c. Ordered; read 1° * *Mar* 6 [Bill 125]
Read 2° *, and committed to the Select Committee on the County Courts Jurisdiction (No. 2) Bill *Mar* 15

County Expenditure—Borough Contributions
Question, Lord Edmond Fitzmaurice; Answer, Mr. Sclater-Booth *Mar* 5, 755

County Government Bill [Bill 93]
(*Mr. Sclater-Booth, Mr. Secretary Cross, Mr. Chancellor of the Exchequer*)
c. Question, Lord Randolph Churchill; Answer, The Chancellor of the Exchequer *Mar* 4, 634
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 7, 893
Amendt. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Rylands*) *v.*; Question proposed, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. Mitchell Henry*); after further short debate, Question put; A. 44, N. 244; M. 200 (D. L. 45)
Question again proposed, "That the words, &c.;" Moved, "That this House do now adjourn" (*Mr. Parnell*); after short debate, Motion withdrawn; Debate adjourned
Question, The Marquess of Hartington; Answer, The Chancellor of the Exchequer *Mar* 15, 1403; Question, Mr. Bowen; Answer, Mr. Sclater-Booth *Mar* 21, 1749

COURTNEY, Mr. L. H., *Liskeard*
Declaration of Paris, Res. 1899
Eastern Question—Russia and Turkey—Treaty of San Stefano, 1957
Endowed Schools (Leeds Poors Estate), Motion for an Address, 1671
New Zealand—Crown Redress (No. 2) Act, 1395
Representation of Minorities, Res. 1002, 1005
Supply—Civil Contingencies Fund, Repayments to, 1620, 1621

COWEN, Mr. J., *Newcastle-on-Tyne*
County Courts Jurisdiction (No. 2), 2R. 1478
Eastern Question—The War—Treatment of English Doctors by the Russians, 1292
Navy Estimates—Departmental Statement, 1466
South Africa—Kaffir Outbreak, 972
Supply—"Hansard's Parliamentary Debates," 1556

COWPER, Earl
Railways—Continuous Brakes, 1279
Science and Art—Museum of Casts from the Antique, 1943

CRICHTON, Viscount, *Enniskillen*
Waste Lands (Ireland), 2R. 18

CRIMINAL LAW
MISCELLANEOUS QUESTIONS
Alleged Cruelty to a Cat, Question, Observations, Lord Truro *Mar* 5, 724; Question, Observations, Lord Truro; Reply, Earl Beauchamp; short debate thereon *Mar* 11, 1032
Burglaries and Robberies (*Metropolis*), Question, Mr. Gregory; Answer, Mr. Assheton Cross *Mar* 7, 876
Case of John Roberts, Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross *Mar* 12, 1140
Convict Letter Carriers, Question, Mr. Anderson; Answer, Mr. Assheton Cross *Mar* 12, 1144
Convict Prison Discipline—The Commission, Question, Mr. O'Shaughnessy; Answer, Mr. Assheton Cross *Mar* 15, 1399
Criminal Law Consolidation — Legislation, Question, Mr. Herschell; Answer, The Attorney General *Mar* 18, 1491
Directors of Criminal Investigations, Question, Sir Eardley Wilmot; Answer, Mr. Assheton Cross *Mar* 12, 1145
Scotland—Death of Mr. G. P. Chalmers, Question, Mr. Ramsay; Answer, Mr. Assheton Cross *Mar* 5, 755
The Fenian Convict Patrick Melody, Question, Mr. O'Connor Power; Answer, Mr. Assheton Cross *Mar* 12, 1141
The Queen v. *Castro—Arthur Orton,* Question, Mr. Blake; Answer, Sir Michael Hicks-Beach *Mar* 25, 1947

CROSS, Right Hon. R. A. (Secretary of State for the Home Department), *Lancashire, S.W.*
Coal Mines—See under Mines
Criminal Law—Miscellaneous Questions
  Burglaries and Robberies (Metropolis), 876
  Convict Letter Carriers, 1145
  Convict Prison Discipline—The Commission, 1399
  Directors of Criminal Investigations, 1146
  Fenian Convict Patrick Melody, 1141
  John Roberts, Case of, 1140
  Scotland—Death of Mr. G. P. Chalmers, 755
Cruelty to Animals Act, 1877—Licences, 1043
Detective Police (Metropolis)—Report of Commission, 377
Endowed Schools (Scotland), 1948
Factories and Workshops, 62; Comm. 82; *cl.* 3, 86, 87, 89, 91; *cl.* 5, 93; *cl.* 6, *ib.*; *cl.* 10, 95; *cl.* 11, 97, 98, 99, 100; *cl.* 13, 104, 110, 112, 116, 117; *cl.* 14, 118, 119; *cl.* 15, 121; *cl.* 16, 123, 124, 126, 127; *cl.* 17, 302, 304, 306, 310, 311; *cl.* 22, 314, 315, 316; *cl.* 27, 318, 320, 321; *cl.* 29, 327; *cl.* 30, 328; *cl.* 32, 330; *cl.* 37, 331; *cl.* 38, 332; *cl.* 39, 334; *cl.* 40, *ib.*; *cl.* 47, 335, 336, 337, 338; *cl.* 50, 339; *cl.* 52, Amendt. 340; *cl.* 54, *ib.*; *cl.* 60, 341; *cl.* 64, 343; *cl.* 65, Amendt. 344, 345, 347, 348, 353, 355; Amendt. 357; *cl.* 66, 456; *cl.* 67, 457; *cl.* 68, 460, 465; *cl.* 69, 466, 469, 471, 473, 476; *cl.* 76, 477; *cl.* 88, 481, 482; *cl.* 99, 486, 489; *cl.* 100, Amendt. 497, 498; *add. cl.* 499, 500, 503, 504, 506, 589, 591, 592, 597,

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601, 603, 604, 607, 610, 611, 614; Schedule 1, *ib.* 878, 879, 882, 884, 885; Schedule 2, 886; Schedule 3, 888, 890; Schedule 4, Amendt. *ib.*; New Schedule, 891, 892; Consid. *cl.* 6, Amendt. 1910; *cl.* 9, Amendt. *ib.*; *cl.* 17, Amendt. *ib.*; *cl.* 25, Amendt. *ib.*; *cl.* 31, Amendt. 1911; *cl.* 32, Amendt. *ib.*; *cl.* 37, Amendt, *ib.*; *cl.* 48, Amendt. *ib.*; *cl.* 50, Amendt. *ib.*; *cl.* 51, Amendt. *ib.*; *cl.* 67, Amendt. *ib.*; *cl.* 72, Amendt. 1912; *cl.* 80, Amendt. *ib.*; *cl.* 91, Amendt. *ib.*; *cl.* 106, Amendt. 1913; Schedule 1, Amendt. *ib.*; Schedule 3, Amendt. *ib.*
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  County Court Judges, 154
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  Surrey Assizes, 378
Licensing—Devonport Watch Committee, 298
  Licensed Houses, 975
Merchant Seamen's Act—Insubordination on Shipboard, 1142
Metropolitan Fire Brigade, 298
Mine Accidents—Life Brigades in Mining Districts, 1490
  Mines, Accidents in, 1493
Mines Regulation Act, 1872, 1144
  Blantyre Colliery Explosion, 447, 1487, 1592
  Colliery Accidents, 1299
  Mine Inspectors, 535
  Reports of Inspectors, 1289
Mutiny, Comm. *cl.* 16, 2016
Navy—Clare, Mr. John, Case of, 1380
Penal Servitude Commission—Fenian Convicts, 1758
Police Superannuation, 875
Poor Law (Scotland), 1287
Prisons (Scotland) Act, 1877—Cell Accommodation, 449
Roads and Bridges (Scotland), Comm. *cl.* 4, 1805, 1807, 1808, 1809; *cl.* 11, 1824; *cl.* 12, Motion for reporting Progress, 1826
Scotch University Commission, 873
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CROSS, Mr. J. K., *Bolton*
Factories and Workshops, Comm. *cl.* 40, 334

Cruelty to Animals Act, 1877—*Licences*
Question, Mr. Pease; Answer, Mr. Assheton Cross *Mar* 11, 1042

CUNINGHAME, Sir W. J. M., *Ayr, &c.*
Roads and Bridges (Scotland), Comm. 1777; *cl.* 4, 1790; *cl.* 6, Amendt. 1811; Amendt. 1813; *cl.* 8, 1819

Customs Department—The Playfair Commission
Question, Mr. Kirk; Answer, Colonel Stanley *Feb* 22, 155

DALRYMPLE, Mr. C., *Buteshire*
  Education (Scotland) Act, 1872, 1489
  Navy—Charges for Pilotage, 535
  Roads and Bridges (Scotland), Comm. *cl.* 3, 1792, 1795

DAVIES, Mr. D., *Cardigan*
  Bar Education and Discipline, 2R. 138
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DELAHUNTY, Mr. J., *Waterford Co.*
  Money Laws (Ireland), 2R. 1699, 1704

DE LA WARR, Earl
  Cattle Plague—Transit of Cattle by Land and Sea, 1031, 1032
  Eastern Question—Russia and Turkey—Terms of Peace, 371, 949
  Metropolitan Board of Works (Election of Members), 2R. 1029
  Railways—Continuous Brakes, 1276

DENISON, Mr. C. BECKETT-, *Yorkshire, W.R., E. Div.*
  Eastern Question—The Congress—Advance of the Russian Army, 1287
  Mercantile Marine—Eddystone Lighthouse, 297
  Supply—Law Charges, 1558

DENISON, Mr. W. BECKETT-, *East Retford*
  Endowed Schools (Leeds Poors Estate), Motion for an Address, 1658

DENMAN, Lord
  Eastern Question—Conference, The Presidency, 1038
  Parliament—Business of the House, Res. 632

Dental Practitioners Bill
  (*Sir John Lubbock, Sir Philip Egerton, Mr. Gregory, Dr. Lush*)
  c. Read 2° * *Mar* 15 [Bill 96]

DERBY, Earl of (Secretary of State for Foreign Affairs)
  Eastern Question—Miscellaneous Questions
    Conference, Greece, 1021;—The Presidency, 1039
    Greek Provinces of Turkey, 263
    Movements of the Fleet, 44
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    Russia and Turkey—Terms of Peace, 374, 530, 615, 949, 1480, 1581
    Treaties of 1856—Greece, 850, 865
    Turkish Fleet, 443
  Eastern Question—Russia and the Porte—Treaties of 1856 and 1871, Res. 285
  Eastern Question—Russia and the Porte—Conference, Address for Correspondence, 1731, 1736

DICKSON, Mr. T. A., *Dungannon*
  American Mail Service, Res. 1648
  Tenants Improvements (Ireland), 2R. 1694

DILKE, Sir C. W., *Chelsea, &c.*
  County Courts Jurisdiction (No. 2), 2R. 1479
  Eastern Question—Russia and Turkey—Terms of Peace, 876
    Turkey—Greeks in Bulgaria, 1289
  Greece and Crete, 1955
  Metropolis—Hyde Park, 872
  Metropolitan Commons Act, 1866—Eelbrook Common, Fulham, 635
  Parliament—Household Franchise, Res. 169, 228
  Spain—Cuba, Insurrection in, 299
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DILLWYN, Mr. L. L., *Swansea*
  Bar Education and Discipline, 2R. 136
  Civil Service Estimates, 1505
  Eastern Question—Congress, The, 1370
  Mexico—Diplomatic Relations, Revival of, 1298
  Mutiny, Comm. *cl.* 16, 2009, 2012; *cl.* 16, 2020; *cl.* 18, 2028, 2031
  Parliament—Debates, Reporting of, 1487
    Easter Recess, 1291
  Supply—Harbours, &c. 1536
    Royal Palaces, 1516, 1518
    Wellington Monument, 1538
  Weights and Measures, 2R. 721

District Probate Registry, Lichfield
  Question, Mr. Muntz; Answer, Colonel Stanley *Mar* 1, 538

DODSON, Right Hon. J. G., *Chester*
  Income Tax, Res. 392
  Parliament—Public Petitions Committee—Fictitious Petitions, Report, 1975
  Supply—Civil Contingencies Fund, Repayments to, 1620
  Turkish Loan of 1855, 1594

DORCHESTER, Lord
  Eastern Question—Turkish Fleet, 441, 444
  Eastern Question—Russia and the Porte—Treaties of 1856 and 1871, Res. 283

DOUGLAS, Sir G. H. S., *Roxburghshire*
  India—Fort George Water Supply, 1742

Dover Harbour
  Moved that there be laid before the House, Copy of the recent Reports on Dover Harbour (*The Earl Granville*) *Mar* 25, 1927; after short debate, Motion agreed to

DUFF, Mr. M. E. Grant, *Elgin, &c.*
  Declaration of Paris, Res. 1867

DUFF, Mr. R. W., *Banffshire*
  Navy—Designs of Ships of War, Motion for a Select Committee, 1315
  Roads and Bridges (Scotland), Comm. *cl.* 3, 1798; *cl.* 4, 1808; *cl.* 6, 1817

Dunraven, Earl
Consolidated Fund (£6,000,000), 2R. 51
Eastern Question—Russia and Persia, 950
Treaties of 1856—Greece, 870
Eastern Question—Russia and the Porte—Conference, Address for Correspondence, 1726, 1731
Eastern Question—Russia and the Porte—Treaties of 1856 and 1871, Res. 279

Dunsany, Lord
Contagious Diseases (Animals), 2R. 735

Dyke, Sir W. H. (Secretary to the Treasury), *Kent, Mid*
Parliament—Public Business, Nomination of Committee, 367

Ecclesiastical Benefices
Moved that an humble Address be presented to Her Majesty, praying Her Majesty to issue a Royal Commission to inquire into the law and existing practice as to the patronage, sale, exchange, and resignation of ecclesiastical benefices, and to recommend remedies for abuses if any are found to exist" (*The Lord Archbishop of York*) *Mar* 8, 954; after debate, Motion amended, and agreed to
Queen's Answer to Address reported *Mar* 14, 1275

Ecclesiastical Buildings (Fire Insurance) Bill [Bill 99]
(*Mr. Leighton, Mr. Goldney, Mr. Whitwell*)
c. Moved, "That the Bill be now read 2°" *Mar* 22, 1913
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Monk*); Question proposed, "That 'now,' &c.;" after short debate, Amendt. withdrawn
Main Question put, and agreed to; Bill read 2°, and committed to a Select Committee; List of the Committee, 1923

Edmonstone, Admiral Sir W., *Stirlingshire*
Navy Estimates — Departmental Statement, 1466
Parliament—Cost of Returns, Res. 1050
Roads and Bridges (Scotland), Comm. 1770, 1778

Education
Education Code, 1878, *Art.* 17 (*G*)—*Educational Returns*, Question, Mr. P. A. Taylor; Answer, Viscount Sandon *Mar* 21, 1751
Education Code, 1878, *Art.* 19, Question, Mr. A. Mills; Answer, Viscount Sandon *Mar* 21, 1753
School Boards—Education Rate, Question, Mr. Goddard; Answer, Viscount Sandon *Mar* 22, 1839

Education (Scotland) Act, 1872
Question, Mr. Dalrymple; Answer, The Chancellor of the Exchequer *Mar* 18, 1489

Education (Scotland) Bill
(*The Lord President*)
l. Presented; read 1ª, after short debate *Mar* 22, 1827 (No. 47)

Egerton, Hon. A. F. (Secretary to the Board of Admiralty), *Lancashire, S.E.*
Navy—Clare, Mr. John, Case of, 1336
Navy—Designs of Ships of War, Motion for a Select Committee, 1106, 1107
Navy Estimates—Victualling Yards at Home and Abroad, 1471

Egerton, Hon. Admiral F., *Derbyshire, E.*
Navy—"Independencia," The, 1743
Navy—Designs of Ships of War, Motion for a Select Committee, 1307

Egypt—Suez Canal Dues
Question, Mr. Childers; Answer, The Chancellor of the Exchequer *Mar* 14, 1295

Egyptian Obelisk (*Cleopatra's Needle*)
Question, The Duke of Somerset; Answer, The Duke of Richmond and Gordon *Mar* 7, 826

Elcho, Lord, *Haddingtonshire*
Army—Auxiliary Forces—Adjutants of Volunteers, Res. 643
Army—Enlistment for India, 664
Army Estimates—Land Forces, 674
Eastern Question—Fleet in the Dardanelles, 1754
Mr. Gladstone and Mr. Layard—Negroponte Correspondence, Res. 1176
Roads and Bridges (Scotland), Comm. 1780; *cl.* 1, 1787; *cl.* 4, 1800, 1803; *cl.* 6, 1818; *cl.* 12, 1826

Election of Aldermen (Cumulative Vote) Bill (*Mr. Wheelhouse, Mr. Isaac, Mr. Tennant*)
c. 2R.*, Debate adjourned *Mar* 15 [Bill 71]

Ellenborough, Lord
Army Recruiting—Fraudulent Re-enlistment, 1384

Elphinstone, Lord
Mutiny, Comm. *cl.* 16, 2014
Navy—H.M.S. "Eurydice," Foundering of, 1926

Emly, Lord
Contagious Diseases (Animals), 2R. 747; Recomm. 1138
Eastern Question—Greek Provinces of Turkey, 262

Endowed Schools (*Birmingham Scheme, &c.*)
Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to refuse Her assent to the scheme of the Endowed Schools Commissioners for the management of the Free Grammar School of King Edward

[*cont.*

Endowed Schools (*Birmingham Scheme, &c.*)—cont
the Sixth in Birmingham, and for the management of the foundations of John Milward and Joanna Lench in the county of Warwick" (*Mr. John Bright*) *Mar* 5, 777; after short debate, Question put; A. 70, N. 129; M. 59 (D. L. 41)

Endowed Schools (*Leeds Poors Estate*)
Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to refuse Her assent to the scheme of the Endowed Schools Commissioners for the management of the Poors Estate, in the parish of Leeds, in the county of York" (*Mr. Barran*) *Mar* 19, 1657; after debate, Question put; A. 55, N. 101; M. 46 (D. L. 60)

ENFIELD, Viscount
St. Katherine's Hospital—Royal Commission, 1871, 1382

Entail Amendment (Scotland) Bill [H.L.]
(*The Duke of Argyll*)
l. Read 2ª, after short debate, and referred to a Select Committee *Mar* 1, 530 (No. 15)
Committee nominated *Mar* 12; List of the Committee, 534

ERRINGTON, Mr. G., *Longford Co.*
Indian Labourers at La Réunion, 59

ESLINGTON, Lord, *Northumberland, S.*
Navy—Designs of Ships of War, Motion for a Select Committee, 1313
Navy Estimates—Military Pensions and Allowances, 1471, 1474

EWING, Mr. A. ORR-, *Dumbartonshire*
Factories and Workshops, Comm. *cl.* 11, 100, 102; *cl.* 22, 316; *cl.* 27, 325; *cl.* 38, 333; *cl.* 47, 335, 336, 337; *cl.* 99, 487; *add. cl.* 610
Govan Burgh, 2R. 148
Roads and Bridges (Scotland), Comm. *cl.* 3, 1792, 1795, 1797; *cl.* 4, 1800, 1808; *cl.* 6, 1817; *cl.* 8, Amendt. 1819, 1820; *cl.* 12, Amendt. 1825

Exchequer Bonds (£1,000,000) Bill
(*Mr. Raikes, Mr. Chancellor of the Exchequer, Colonel Stanley*)
c. Resolutions in Committee *Feb* 27
Resolutions reported, and agreed to; Bill ordered; read 1º* *Feb* 28 [Bill 121]
Read 2º* *Mar* 1
Committee; Report *Mar* 4, 722
Read 3º* *Mar* 7
l. Read 1ª* (*Earl of Beaconsfield*) *Mar* 8
Read 2ª* *Mar* 11
Committee*; Report *Mar* 12
Read 3ª* *Mar* 14
Royal Assent *Mar* 18 [41 *Vict.* c. 7]

Exchequer Bonds and Bills (£6,000,000) Bill (*Earl of Beaconsfield*)
l. Read 2ª*; Committee negatived *Feb* 21
Read 3ª* *Feb* 22
Royal Assent *Feb* 25 [41 *Vict.* c. 2]

EXCHEQUER, CHANCELLOR of the (*see* CHANCELLOR of the EXCHEQUER)

Factories and Workshops Bill
(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson*)
c. Question, Mr. Briggs; Answer, Mr. Assheton Cross *Feb* 21, 62
Order for Committee read *Feb* 21, 63 [Bill 3]
Moved, "That it be an Instruction to the Committee, that they have power to insert provisions in the Bill for regulating the hours of labour and securing the attendance at school of children employed in agriculture" (*Mr. Fawcett*); after debate, Question put; A. 93, N. 208; M. 115 (D. L. 23)
Committee—R.P.
Committee—R.P. *Feb* 25, 302
Committee—R.P. *Feb* 28, 456
Committee—R.P. *Mar* 1, 589
Committee; Report *Mar* 7, 877
Moved, "That the Bill be now taken into Consideration" *Mar* 22, 1909 [Bill 126]
Moved, "That the further proceeding on Consideration of the Bill, as amended, be adjourned" (*Mr. Chamberlain*); Motion withdrawn; Amendments made

FAWCETT, Mr. H., *Hackney*
Exchequer Bonds (£1,000,000), Comm. 722
Factories and Workshops, Comm. Amendt. 63, 64, 73, 85; *cl.* 13, 106, 115; *cl.* 16, Amendt. 124, 126; *cl.* 17, Amendt. 302, 303; Amendt. 304, 308, 311; *cl.* 65, 348; *cl.* 99, 493; *add. cl.* 596, 603, 610, 612, 614
Indian Taxation, Petition presented, 1596
Indian Press Law, Res. 1605
Metropolis Water Works (Purchase), 2R. 1232

FEVERSHAM, Earl of
Contagious Diseases (Animals), Select Committee nominated, 1389
Eastern Question—Treaties of 1856—Greece, 863

FAY, Mr. C. J., *Cavan Co.*
Tenants Improvements (Ireland), 2R. 1693
Waste Lands (Ireland), 2R. 23

FIELDEN, Mr. J., *Yorkshire, W.R., E. Div.*
Factories and Workshops, Comm. *cl.* 10, 94; *cl.* 22, 316; *cl.* 27, 319; *cl.* 30, 328; *cl.* 38, 333; *cl.* 47, 336; *cl.* 68, 464; *cl.* 100, 498

FITZMAURICE, Lord E. G., *Calne*
County Expenditure—Borough Contributions, 755
Eastern Question—Congress, The, 1353

FLOYER, Mr. J., *Dorsetshire*
County Government, Comm. 923
Supply—Local Government Board, 1551

FORSTER, Sir C., *Walsall*
- Factories and Workshops, Comm. Schedule 1, Amendt. 880
- London and North Western Railway (Reddish to Leeds), 2R. Amendt. 971
- Parliament—Privilege—Petitions—Sale of Intoxicating Liquors on Sunday (Ireland), 1485
- Parliament—Public Petitions Committee—Fictitious Petitions, Report, 1738, 1967
- Sale of Intoxicating Liquors on Sunday (Ireland), 875, 1293

FORSTER, Right Hon. W. E., *Bradford*
- Eastern Question—Russia and Turkey—Terms of Peace, 300, 301, 379
- Endowed Schools (Birmingham Scheme, &c.), Motion for an Address, 790
- Endowed Schools (Leeds Poors Estate), Motion for an Address, 1665
- Parliament—Private Bills—Bradford Tramway Companies, 1956
- Parliament — Public Petitions Committee—Fictitious Petitions, Report, 1741, 1971
- Poor Law—Election of Poor Law Guardians, Motion for a Select Committee, 548

FORSYTH, Mr. W., *Marylebone*
- Colonial Marriages, 2R. 424
- Greece—Kingdom of—Protocol, &c. 875
- Parliament—Public Petitions Committee—Fictitious Petitions, Report, 1970
- Supply — Civil Contingencies Fund, Repayments to, 1619
  - Law Charges, 1558

FORTESCUE, Earl
- Contagious Diseases (Animals), 2R. 743

FRASER, Sir W. A., *Kidderminster*
- Detective Police (Metropolis)—Report of Commission, 377
- Eastern Question—Russia and Turkey—Treaty of Peace, 637
- Parliament—Public Petitions Committee—Fictitious Petitions, Report, 1967
- Supply—Law Charges, 1559
  - Miscellaneous Expenses, 1615
- Supply, Res. 1048

Frauds by Fiduciary Agents—Legislation
- Question, Mr. Burt; Answer, Mr. Assheton Cross *Mar* 12, 1146

FRESHFIELD, Mr. C. K., *Dover*
- Supply — Civil Contingencies Fund, Re-payments to, 1618

Freshwater Fish Protection Bill
(*Mr. Mundella, Mr. James Duff, Mr. Michael Bass, Mr. Spencer Stanhope*)
c. Ordered; read 1° * *Mar* 19 [Bill 131]

Friendly Societies Act, 1875 — *Leeds County Court*
- Question, Mr. Ashbury; Answer, The Attorney General *Feb* 21, 61

GALLOWAY, Earl of
- Army—Mutiny Act, 1831, 1836
- Entail Amendment (Scotland), 2R. 534

Gasworks Clauses Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª * *Feb* 21 (No. 31)

Gibraltar—Sanitary Condition
- Question, Mr. Goddard; Answer, Sir Michael Hicks-Beach *Mar* 22, 1839

GIBSON, Right Hon. E., (Attorney General for Ireland), *Dublin University*
- Factories and Workshops, Comm. *cl.* 99, 486, 487, 495
- Landed Estates Court (Ireland), 1047
- Public Health (Ireland), Comm. 722
- Supply—Chief Secretary for Ireland Offices, 1557
  - Temporary Commissions, 1612, 1613, 1614

GIFFARD, Sir H. S. (See SOLICITOR GENERAL, The)

GLADSTONE, Right Hon. W. E., *Greenwich*
- Indian Press Law, Res. 1600

Glebe Loans (Ireland) Bill
(*Mr. Mulholland, Mr. Kavanagh*)
c. Considered * *Feb* 22 [Bill 9]
Read 3° * *Feb* 27
l. Read 1ª * (*Earl Belmore*) *Feb* 28 (No. 32)
Read 2ª * *Mar* 4
Committee *; Report *Mar* 5
Read 3ª * *Mar* 7
Royal Assent *Mar* 18 [41 *Vict.* c. 6]

GODDARD, Mr. A. L., *Cricklade*
- Gibraltar—Sanitary Condition, 1839
- School Boards—Education Rate, 1839

GOLDNEY, Mr. G., *Chippenham*
- Factories and Workshops, Comm. 63, 72, 73, 77
- Heralds' College, Res. 406

GOLDSMID, Mr. J., *Rochester*
- Commons, Nomination of Select Committee, Motion for Adjournment, 358, 362
- Eastern Question—Russia—Terms of Peace, 1595
- Merchant Seamen, Nomination of Committee, 260
- Parliament—Cost of Returns, Res. 1051
- Parliament — Public Petitions Committee — Fictitious Petitions, Report, 1964
- Public Offices—Purchase of Land, 1043
- Supply—Diplomatic Services, 1606
  - Local Government Board, 1551
  - Queen's University, Ireland, 1571

GORDON, Sir A., *Aberdeenshire, E.*
Army—Courts of Inquiry and Courts Martial, 1489
Army Estimates—Land Forces, 700
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Mutiny Act—Military Law, 299
Roads and Bridges (Scotland), Comm. *cl.* 3, Amendt. 1790 ; *cl.* 6, Amendt. 1812 ; *cl.* 9, Amendt. 1822

GORST, Mr. J. E., *Chatham*
Factories and Workshops, Comm. *cl.* 17, 310, 312 ; *cl.* 22, 315 ; *cl.* 27, 319 ; Amendt. 320 ; *cl.* 30, 328 ; *cl.* 32, Amendt. 329 ; *cl.* 37, 331, 332 ; *cl.* 65, 346 ; *cl.* 67, 457 ; *cl.* 69, 470 ; *cl.* 100, 498
Navy—Designs of Ships of War, Motion for a Select Committee, Motion for Adjournment, 1125, 1300, 1311, 1333
Navy Estimates — Departmental Statement, 1442
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GOSCHEN, Right Hon. G. J., *London*
Metropolis Water Works (Purchase), 2R. 1232
Navy — H.M.S. "Eurydice," Foundering of, 1959
Navy—Designs of Ships of War, Motion for a Select Committee, 1119, 1120
Navy Estimates — Departmental Statement, 1413
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GOURLEY, Mr. E. T., *Sunderland*
Declaration of Paris, Res. Amendt. 1850
Eastern Question—Navigation of the Danube, 539
Navy—Coal Contracts, 158
Navy—Designs of Ships of War, Motion for a Select Committee, 1303
Supply—Clockmill Estate, Edinburgh, Purchase of, 1523

Govan Burgh Bill (by Order)
c. Read 2°, after short debate *Feb* 22, 142

Grand Jury (Ireland) Bill
Questions, Mr. Meldon, Mr. Rylands ; Answers, The Chancellor of the Exchequer *Mar* 14, 1297

Grand Jury Law Amendment (Ireland) Bill (*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Motion for Leave (*Mr. James Lowther*) *Feb* 28, 507 ; after debate, Question put, and agreed to ; Bill ordered ; read 1° * [Bill 120]

GRANT, Mr. A. *Leith*
Supply — Clockmill Estate, Edinburgh, Purchase of, 1532

GRANTHAM, Mr. W., *Surrey, E.*
Capital Punishment Abolition, 2R. Amendt. 1253

GRANVILLE, Earl
Consolidated Fund (£6,000,000), 2R. 47
Contagious Diseases (Animals), 2R. 753 ; Comm. 828
Criminal Law—Alleged Cruelty to a Cat, 1035
Dover Harbour, Motion for Papers, 1927
Eastern Question—Miscellaneous Questions
Conference—Greece, 1021
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Russia and Turkey—Terms of Peace, 529, 615, 949, 1480, 1580
Eastern Question — Russia and the Porte—Conference, Address for Correspondence, 1720, 1722
Parliament—Easter Recess, 1381
Parliament—Business of the House, Res. 625, 633
Patent Laws, 1579
Science and Art—Museum of Casts from the Antique, 1945

GRAY, Mr. E. D., *Tipperary*
Factories and Workshops, Comm. *cl.* 17, 307 ; *cl.* 29, Amendt. 327 ; *cl.* 65, 349 ; Amendt. 351, 353, 356, 357 ; *cl.* 67, 457 ; *cl.* 99, Amendt. 483 ; *add. cl.* 602 ; New Schedule, 891, 893 ; Consid. *cl.* 29, Amendt. 1910 ; *cl.* 91, Amendt. 1912 ; *cl.* 104, Amendt. *ib.*
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Royal Constabulary—New Code, 1295
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Greece
Protocols, &c. 1826 *to* 1830, Question, Mr. Forsyth ; Answer, The Chancellor of the Exchequer *Mar* 7, 875
The Treaties of 1856, Observations, The Duke of Argyll ; Reply, The Earl of Derby ; Debate thereon *Mar* 7, 830

Greece—Mr. Gladstone and Mr. Layard—The Negroponte Correspondence
Moved, "That this House, having had laid before it the Correspondence between Her Majesty's Ambassador at Constantinople and the Foreign Office, relating to certain charges which had been made against the Right honourable the Member for Greenwich, based on his Letters to a M. Negroponte, views with regret the part taken in the matter by Her Majesty's Ambassador" (*Mr. Evelyn Ashley*) *Mar* 12, 1156 ; after long debate, Question put ; A. 132, N. 206 ; M. 74 (D. L. 46)

Greece and Crete
Question, Mr. Shaw Lefevre ; Answer, Mr. Bourke *Feb* 21, 60 ; Questions, Sir Charles W. Dilke, Mr. Baxter ; Answer, Mr. Bourke *Mar* 25, 1955

Greene, Mr. E., *Bury St. Edmunds*
Factories and Workshops, Comm. *cl.* 99, 491, 492

Gregory, Mr. G. B., *Sussex, E.*
Colonial Marriages, 2R. Amendt. 406
County Courts Jurisdiction (No. 2), 2R. 1479
Criminal Law — Burglaries and Robberies (Metropolis), 876
Declaration of Paris, Res. 1875
Libel Law Amendment, 2R. Motion for Adjournment, 1477

Halifax, Viscount
India—The Deccan—Removal of Mr. Oliphant, 1924

Hamilton, Lord C. J., *Lynn Regis*
Law and Justice (Ireland)—Mr. Justice Keogh, Charge of, 1948

Hamilton, Lord G. F. (Under Secretary of State for India), *Middlesex*
India—Miscellaneous Questions
Famine—The Census, 1742
Indian Budget, 1878-9, 1753
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Eastern Question—Russia and the Porte—Conference, Address for Correspondence, 1723
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Hanbury, Mr. R. W., *Tamworth*
Eastern Question—Congress—Greece, 1400, 1490
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Hankey, Mr. T., *Peterborough*
Parliament—Private Bills, 1958

Harcourt, Sir W. G. V., *Oxford City*
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Eastern Question—Congress, The, 1359

Hardcastle, Mr. E., *Lancashire, S.E.*
Factories and Workshops, Comm. *cl.* 50, 339 ; *add. cl.* 609

Hardy, Right Hon. Gathorne (Secretary of State for War), *Oxford University*
Army—Miscellaneous Questions
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Scotland—Defences of the Firth of Forth, 1399
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Harman, Mr. E. R., King-, *Sligo*
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Harrison, Mr. J. F., *Kilmarnock, &c.*
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Harrowby, Earl of
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Hartington, Right Hon. Marquess of, *New Radnor*
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Havelock, Sir H. M., *Sunderland*
Army—Enlistment for India, 665
Army Equipment—First and Second Army Corps, 376
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Mutiny, Comm. *cl.* 1, 1994, 1997
Supply—Clockmill Estate, Edinburgh, Purchase of, 1530

HAY, Admiral Right Hon. Sir J. C. D., *Stamford*
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HAYTER, Colonel A. D., *Bath*
Army—Auxiliary Forces—Adjutants of Volunteers, Res. 644
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HENNIKER, Lord
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HENRY, Mr. Mitchell, *Galway Co.*
County Government, Comm. Motion for Adjournment, 935. 936, 943
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National Portrait Gallery, Res. 776
Navy Estimates—Departmental Statement, 1418
Parliament—Cost of Returns, Res. 1056
Tenants' Improvements (Ireland), 2R. 1698

Heralds' College
Moved, "That the Heralds' College, or College of Arms, if recognized as a public department, ought to be under efficient public control" (*Mr. Goldney*) *Feb* 26, 406
[House counted out]

HERMON, Mr. E., *Preston*
Factories and Workshops, Comm. *cl.* 65, 347 ; *cl.* 69, 471 ; Schedule 1, 884
Parliament—Cost of Returns, Res. 1048

HERSCHELL, Mr. F., *Durham*
County Courts Jurisdiction (No. 2), 2R. Motion for Adjournment, 1478, 1480
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HERVEY, Lord F., *Bury St. Edmunds*
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HEYGATE, Mr. W. U., *Leicestershire, S.*
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HIBBERT, Mr. J. T., *Oldham*
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Parliament—Public Business—Amendments on Supply, 1400
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HICK, Mr. J., *Bolton*
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HOGG, Lt.-Colonel Sir J. M., *Truro*
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HOLLAND, Sir H. T., *Midhurst*
Colonial Marriages, 2R. 415

HOLMS, Mr. J., *Hackney*
Army Estimates—Land Forces, 682, 690, 707
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HOLMS, Mr. W., *Paisley*
Factories and Workshops, Comm. *cl.* 10, 95 ; *cl.* 11, Amendt. 100, 101, 102; *cl.* 13, Amendt. 108, 113 ; Amendt. 116 ; *cl.* 16, 122 ; *cl.* 17, 307 ; *cl.* 27, Amendt. 318 ; *cl.* 47, 336 ; *cl.* 69, 469

HOLT, Mr. J. M., *Lancashire, N.E.*
Navy Estimates — Departmental Statement, 1431

HOPE, Mr. A. J. B. Beresford, *Cambridge University*
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Supply—Public Offices Site, 1539
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HOPWOOD, Mr. C. H., *Stockport*
County Government, Comm. 919
Factories and Workshops, Comm. *cl.* 10, 99 ; *cl.* 13, 106 ; *cl.* 16, 122 ; *cl.* 17, 307, 310, 311 ; *cl.* 65, Amendt. 343, 345, 351 ; *cl.* 68, 465 ; *cl.* 100, 498 ; Consid. *cl.* 68, Amendt. 1911, 1912
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Ecclesiastical Benefices, Address for a Royal Commission, 959
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House Occupiers Disqualification Removal Bill (*Earl Stanhope*)
l. Read 3^{a} * *Feb* 21 (No. 17)
Royal Assent *Feb* 25 [41 *Vict.* c. 3]

House Occupiers Disqualification Removal (Scotland) Bill (*Earl Stanhope*)
l. Read 2^{a} *Feb* 28, 445 (No. 29)
Committee * ; Report *Mar* 1
Read 3^{a} * *Mar* 4
Royal Assent *Mar* 18 [41 *Vict.* c. 5]

Hubbard, Right Hon. J. G., *London*
Income Tax, Res. 379
Navy Estimates — Departmental Statement, 1437

Hutchinson, Mr. J. D., *Halifax*
Factories and Workshops, Comm. *cl.* 67, 459
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Artillery Pensions, Question, Major Nolan; Answer, Mr. Gathorne Hardy *Mar* 11, 1044
Enlistment for India, Observations, Sir George Campbell; Reply, Mr. Gathorne Hardy; short debate thereon *Mar* 4, 654
Fort George Water Supply, Question, Sir George Douglas; Answer, Lord Eustace Cecil *Mar* 21, 1742
Indian Labourers at La Réunion, Question, Mr. Errington; Answer, Lord George Hamilton *Feb* 21, 59
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The Salt Laws, Question, Mr. Potter; Answer, Lord George Hamilton *Mar* 18, 1484

India—The Indian Press Law
Question, Mr. Sullivan; Answer, Lord George Hamilton *Mar* 19, 1592
Amendt. on Committee of Supply *Mar* 19, To leave out from "That," and add "legislation for our Indian fellow-subjects subversive of fundamental principles of the British Constitution should not be adopted without this House being previously consulted upon the urgent necessity of such a course" (*Mr. O'Donnell*) *v.*, 1596; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn

Interments in Churchyards Bill
(*Mr. Ritchie, Mr. Gorst, Mr. Woodd, Mr. Sampson Lloyd*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1^{o} * *Mar* 4 [Bill 123]

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Dublin Metropolitan Police—The Annual Return, Question, Mr. Gray; Answer, Mr. J. Lowther *Mar* 1, 539
Intermediate Education—Legislation, Question, Mr. O'Shaughnessy; Answer, Mr. J. Lowther *Feb* 22, 157; Question, Mr. P. Martin; Answer, Mr. J. Lowther *Mar* 22, 1838
Landed Estates Court, Question, Mr. Macartney; Answer, The Attorney General for Ireland *Mar* 11, 1046

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National School Teachers Act—Contributory Unions, Question, Mr. Meldon; Answer, Mr. J. Lowther *Mar* 14, 1292
Poor Law—Cavan Union—Case of Anne Spinks, Question, Mr. Kavanagh; Answer, Mr. J. Lowther *Mar* 25, 1946
Public Health, Dublin, Questions, Mr. Meldon, Mr. Gray; Answers, Mr. J. Lowther *Mar* 21, 1745
Railways—Continuous Brakes, Question, Mr. Bruen; Answer, Sir Charles Adderley *Mar* 14, 1294
Resident Magistrates—The Waterford Magistracy, Question, Mr. Blennerhassett; Answer, Mr. J. Lowther *Mar* 21, 1750
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- *The Irish Church Act—Legislation*, Question, Mr. Parnell; Answer, Mr. J. Lowther *Mar* 14, 1298
- *The late Sergeant M'Carthy*, Question, Mr. O'Connor Power; Answer, Mr. Assheton Cross *Mar* 14, 1294

Ireland—Local Government and Taxation of Towns
- Select Committee of last Session, "to inquire into the operation in Ireland of the following statutes, 9 Geo. 4, c. 82, 3 and 4 Vic. c. 108, 17 and 18 Vic. c. 103, and the Acts altering and amending the same; and to report whether any and what alterations are advisable in the Law relating to Local Government and Taxation of Cities and Towns in that part of the United Kingdom," reappointed; Committee to consist of Seventeen Members; Committee nominated; List of the Committee *Feb* 22, 261
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- Factories and Workshops, Comm. Schedule 3, Amendt. 889

JACKSON, Sir H. M., *Coventry*
- Factories and Workshops, Comm. *cl.* 27, 325; *cl.* 37, 331; *cl.* 65, 349, 356; *add. cl.* 499, 502; Schedule 3, Amendt. 887

JAMES, Sir H., *Taunton*
- Bankruptcy Law Amendment, 2R. 1134
- Bar Education and Discipline, 2R. 131
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- Factories and Workshops, Comm. *cl.* 100, 498
- Mr. Gladstone and Mr. Layard—Negroponte Correspondence, Res. 1194, 1202

JAMES, Mr. W. H., *Gateshead*
- Eastern Question—Dalmatian Frontier, 1957
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  - Clockmill Estate, Edinburgh, Purchase of, 1526
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- Vaccination Acts—Case of Mr. Abel, 1139

JENKINS, Mr. D. J., *Penryn, &c.*
- Navy—Designs of Ships of War, Motion for a Select Committee, 1312
- Navy Estimates — Departmental Statement, 1438
- Supply—Clockmill Estate, Edinburgh, Purchase of, 1531
  - Lighthouses Abroad, 1543, 1544
  - Suez Canal (British Directors), 1611

JENKINS, Mr. E., *Dundee*
- Factories and Workshops, Comm. *cl.* 47, 335; *cl.* 65, 357
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(*Mr. Waddy, Mr. Herschell, Mr. Merewether*)
- *c.* 2R.*, Debate adjourned *Feb* 28 [Bill 91]
- Bill withdrawn * *Mar* 1

KAVANAGH, Mr. A. M., *Carlow Co.*
- Municipal Franchise (Ireland), 2R. Amendt. 801, 802, 811, 819, 820
- Poor Law (Ireland)—Cavan Union—Case of Anne Spinks, 1946

KENEALY, Dr. E. V., *Stoke-upon-Trent*
- Bar Education and Discipline, 157, 1046
- Factories and Workshops, Comm. *cl.* 3, 86; Amendt. 87, 90; *cl.* 27, 324
- Income Tax, Res. Amendt. 384
- Law and Justice—Queen *v.* Bradlaugh and Besant, 156
- Mines, Comm. *cl.* 1, 1993, 1996, 1997
- Mutiny, Comm. *cl.* 16, 2009
- Supply—Clockmill Estate, Edinburgh, Purchase of, 1532

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- Victoria, Colony of—The Ministerial Crisis, 1390, 1706

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- Public Parks (Scotland), Comm. *cl.* 5, Amendt. 369, 370; *cl.* 8, Amendt. *ib.*; *cl.* 11, Amendt. *ib.* 371

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- Customs Department—Playfair Commission, 155

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- Army—Auxiliary Forces—Adjutants of Volunteers, Res. 638

KNOWLES, Mr. T., *Wigan*
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LAWSON, Sir W., *Carlisle*
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LEFEVRE, Mr. G. J. Shaw, *Reading*
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c. Moved, "That the Bill be now read 2°" *Mar* 15, 1477
Moved, "That the Debate be now adjourned" (*Mr. Gregory*); Question put; A. 80, N. 45; M. 35 (D. L. 48)

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LINDSAY, Colonel R. J. Loyd (Financial Secretary for War), *Berkshire*
Supply—Provisions, Forage, &c. 1624

Linen and Yarn Halls (Dublin) Bill
(*The Lord President*)
l. Royal Assent *Feb* 25 [41 *Vict.* c. i]

LLOYD, Mr. M., *Beaumaris*
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  Bankruptcy Act (1869) Amendment, 2R. 1135
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  (*Mr. Salt, Mr. Sclater-Booth*)
c. Read 2° * *Feb* 20 [Bill 112]
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London and North Western Railway (Reddish to Leeds) Bill (by Order)
c. 2R. deferred *Mar* 8, 971

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LOWE, Right Hon. R., *London University*
  Parliament—Household Franchise, Res. 178, 199

LOWTHER, Right Hon. J. (Chief Secretary for Ireland), *York City*
  Factories and Workshops, Comm. *cl.* 99, 494, 496
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    Public Health—Death-Rate of the City of Dublin, 874, 1747
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LUSH, Dr. J. A., *Salisbury*
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  American Mail Service, Res. 1650
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MCARTHUR, Mr. A., *Leicester*
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MACARTNEY, Mr. J. W. E., *Tyrone*
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MAC IVER, Mr. D., *Birkenhead*
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McKENNA, Sir J. N., *Youghal*
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Parliament — Public Petitions Committee — Fictitious Petitions, Report, 1741, 1967

MACKINTOSH, Mr. C. F., *Inverness, &c.*
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McLAGAN, Mr. P., *Linlithgowshire*
Roads and Bridges (Scotland), Comm. *cl.* 1, 1787; *cl.* 4, 1803

McLAREN, Mr. D., *Edinburgh*
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Malta
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Taxation and Finances—Mr. Rowsell's Report, Questions, Sir George Bowyer, Mr. James; Answer, Sir Michael Hicks-Beach *Mar* 15, 1397

Malta and Ceylon—Food Taxes
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MANNERS, Right Hon. Lord J. J. R. (Postmaster General), *Leicestershire, N.*
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Questions, Mr. Hick, Mr. John Bright; Answers, Mr. Assheton Cross *Mar* 22, 1840

MANVERS, Earl
Eastern Question—Greek Provinces of Turkey, 265

Marine Mutiny Bill
(*Mr. William Henry Smith, Mr. Algernon Egerton, Sir Massey Lopes*)
c. Ordered; read 1° * *Mar* 18
Read 2° * *Mar* 22

Maritime Belligerent Rights—The Declaration of Paris
Amendt. on Committee of Supply *Mar* 22, To leave out from "That," and add "in the opinion of this House, the state of International Law with reference to Maritime Belligerent Rights is unsatisfactory, and calls for the careful attention of Her Majesty's Government" (*Sir John Lubbock*) *v.*; 1842; Question proposed, "That the words, &c.;" after long debate, Question put, and agreed to

MARLING, Mr. S. S., *Stroud*
Factories and Workshops, Comm. *add. cl.* 502; Schedule 3, 888
Supply—Clockmill Estate, Edinburgh, Purchase of, 1530

MARTEN, Mr. A. G., *Cambridge*
Colonial Marriages, 2R. 427
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MARTIN, Mr. P., *Kilkenny Co.*
Intermediate Education (Ireland), 1838
Poor Law (Scotland)—Case of Agnes Adams, 58
Supply—Queen's University Ireland, Amendt. 1577
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Matrimonial Causes Acts Amendment Bill (*Mr. Herschell, Sir Henry Holland*)
c. Read 2° * *Feb* 20 [Bill 117]
Committee; Report *Feb* 27, 440
Considered * *Feb* 28
Read 3° * *Mar* 1
l. Read 1ª * (*Lord Sudeley*) *Mar* 4 (No. 34)
Read 2ª, after short debate *Mar* 12, 1136

Medical Act (1858) Amendment Bill
(*The Lord President*)
l. Presented; read 1ª, after short debate *Mar* 19, 1581 (No. 44)

MELDON, Mr. C. H., *Kildare*
County Government, Comm. 935
Grand Jury (Ireland), 1297
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National School Teachers (Ireland) Act—Contributory Unions, 1292
Parliament—Public Petitions Committee—Fictitious Petitions, Report, 1737; Amendt. 1738
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MELLOR, Mr. T. W., *Ashton-under-Lyne*
Factories and Workshops, Comm. *cl.* 22, 316
Poor Law Amendment Act (1876) Amendment, Comm. 2032

Mercantile Amendment Act, 1856—*Bills of Exchange*
Question, Mr. Stanton; Answer, The Attorney General *Mar* 19, 1592

Mercantile Marine
The Eddystone Lighthouse, Question, Mr. Beckett-Denison; Answer, Sir Charles Adderley *Feb* 25, 297; Question, Mr. Waddy; Answer, Sir Charles Adderley *Mar* 11, 1043; —*Establishment of a Signalling Station on the Eddystone Rocks,* Question, Mr. Sampson Lloyd; Answer, Sir Charles Adderley *Mar* 15, 1398

Merchant Seamen Bill [Bill 79]
(*Sir Charles Adderley, Mr. Edward Stanhope*)
c. Select Committee nominated; List of the Committee *Feb* 20, 42
Moved, "That the Select Committee do consist of Seventeen Members" (*Sir Charles Adderley*) *Feb* 22, 259
Amendt. to leave out "Seventeen," and insert "Nineteen" (*Major Nolan*) *v.*; Question proposed, "That 'Seventeen,' &c.;" after short debate, Amendt. withdrawn
Main Question put, and agreed to
Insubordination on Shipboard, Question, Mr. Plimsoll; Answer, Mr. Assheton Cross *Mar* 12, 1142

MEREWETHER, Mr. C. G., *Northampton*
Factories and Workshops, Comm. *cl.* 69, 476

METROPOLIS
Burglaries and Robberies, Question, Mr. Gregory; Answer, Mr. Assheton Cross *Mar* 7, 876
Detective Police, The—Report of the Commission, Question, Sir William Fraser; Answer, Mr. Assheton Cross *Feb* 26, 377
Hyde Park, Question, Sir Charles W. Dilke; Answer, Mr. Gerard Noel *Mar* 7, 872

Metropolis Management and Building Acts Amendment Bill
(*Sir James M'Garel-Hogg, Sir Charles Russell, Mr. Rodwell*)
c. Select Committee to consist of Nine Members; Committee nominated; List of the Committee *Feb* 22, 261 [Bill 67]
Ordered, That all Petitions against the Bill presented on or before the 1st day of March next be referred to the Committee; and all Petitioners be heard by themselves, their Counsel, Agents, and witnesses upon their Petitions, if they think fit, and Counsel be heard in favour of the Bill against the said Petitions

[*cont.*

Metropolis Management and Building Acts Amendment Bill—cont.
Ordered, That the Reports 1876 and 1877, from the Select Committee on the Metropolitan Fire Brigade, be referred to the Committee (*Sir James M'Garel-Hogg*)
Bill reported * *Mar* 22 [Bill 132]

Metropolis Waterworks (Purchase) Bill (*Sir James M'Garel Hogg, Sir Andrew Lusk, Mr. Grantham, Mr. Rodwell*)
c. Moved, "That the Bill be now read 2º" *Mar* 12, 1217 [Bill 58]
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Samuda*); Question proposed, "That 'now,' &c.;" Moved, "That the Debate be now adjourned" (*Mr. Charley*); after short debate, Motion agreed to; Debate adjourned

Metropolitan Board of Works (Election of Members) Bill [H.L.] (No. 1) (*The Earl of Camperdown*)
l. Moved, "That the Bill be now read 2ª" *Mar* 11, 1021
Amendt. to leave out ("now,") and add ("this day six months") (*The Viscount Midleton*); after short debate, on Question, That ("now,") &c.; Cont. 36, Not-Cont. 54; M. 18
List of Cont. and Not-Cont. 1030
Bill to be read 2ª this day six months

Metropolitan Building Act, 1855 — All Saints' Church, Lambeth
Question, Mr. Cowper-Temple; Answer, Sir James M'Garel Hogg *Mar* 1, 540

Metropolitan Commons Act, 1866—Eelbrook Common, Fulham
Question, Sir Charles W. Dilke; Answer, Sir James M'Garel Hogg *Mar* 4, 635

Metropolitan Fire Brigade, The
Question, Mr. Ritchie; Answer, Mr. Assheton Cross *Feb* 25, 298

Mexico—Revival of Diplomatic Relations
Question, Mr. Dillwyn; Answer, Mr. Bourke *Mar* 14, 1298

Midleton, Viscount
Metropolitan Board of Works (Election of Members), 2R. Amendt. 1023
Parliament—Business of the House, Res. 616, 633

Mills, Mr. A., *Exeter*
Education Code, 1878, Art. 19, 1753
Victoria, Colony of—Ministerial Crisis, 1400

Mines
Accidents in Mines, Observations, Mr. Macdonald; Reply, Mr. Assheton Cross *Mar* 18, 1491; Moved, "That this House do now adjourn" (*Mr. Macdonald*); Motion withdrawn

Mines—cont.
Life Brigades in Mining Districts, Question, Sir Eardley Wilmot; Answer, Mr. Assheton Cross *Mar* 18, 1490

Mines Regulation Act, 1872
Question, Mr. Macdonald; Answer, Mr. Assheton Cross *Mar* 12, 1143
Colliery Accidents, Question, Mr. Macdonald; Answer, Mr. Assheton Cross *Mar* 14, 1299
Mine Inspectors, Question, Mr. Macdonald; Answer, Mr. Assheton Cross *Mar* 1, 535
Mining Accidents — The Kilsyth Explosion, Question, Mr. Macdonald; Answer, The Lord Advocate *Mar* 21, 1745
Reports of Inspectors, Question, Mr. Macdonald; Answer, Mr. Assheton Cross *Mar* 14, 1289; Question, Mr. Clive; Answer, Sir Henry Selwin-Ibbetson *Mar* 22, 1841
The Blantyre Colliery Explosion, Questions, Mr. Macdonald; Answers, Mr. Assheton Cross *Feb* 28, 447; Question, Mr. Burt; Answer, Mr. Assheton Cross *Mar* 18, 1487; Question, Mr. Macdonald; Answer, Mr. Assheton Cross *Mar* 19, 1592

Money Laws (Ireland) Bill (*Mr. Delahunty, Mr. Power*)
c. Moved, "That the Bill be now read 2º" *Mar* 20, 1699 [Bill 56]
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Anderson*); Debate adjourned

Monk, Mr. C. J., *Gloucester City*
Eastern Question—Fleet in the Dardanelles, 1756
Ecclesiastical Buildings (Fire Insurance), 2R. Amendt. 1915
Factories and Workshops, Comm. *cl.* 47, 336
Mutiny, Comm. *cl.* 18, 2028
Parliament—Public Business, Nomination of Select Committee, 364
Parliament—Public Petitions Committee—Fictitious Petitions, Report, 1739
Post Office (Telegraph Department)—Lundy Island, 538
Supply—Clockmill Estate, Edinburgh, Purchase of, 1533
Commutation of Annuities, 1611
Diplomatic Services, 1610
Epping Forest Commission, 1616, 1617

Montagu, Right Hon. Lord R., *Westmeath*
Eastern Question—Congress, 1346, 1352, 1368
Terms of Peace, 1045

Montgomerie, Mr. R., *Ayrshire, N.*
Roads and Bridges (Scotland), Comm. 1783

Monuments (Metropolis) Bill (*Sir James M'Garel Hogg, Sir Charles Russell, Mr. Forsyth*)
c. Ordered; read 1º * *Mar* 22 [Bill 133]

[cont.

MORAY, Colonel D., *Perthshire*
Factories and Workshops, Comm. *add. cl.* 606

MORGAN, Mr. G. Osborne, *Denbighshire*
Colonial Marriages, 2R. 418
Ordnance Survey, 1143

MORLEY, Earl of
Parliament—Business of the House, Res. 631
Science and Art—Museum of Casts from the Antique, 1939

MULHOLLAND, Mr. J., *Downpatrick*
Factories and Workshops, Comm. *add. cl.* 503, 504, 506, 593, 599
Tenants' Improvements (Ireland), 2R. 1685

MUNDELLA, Mr. A. J., *Sheffield*
Ecclesiastical Buildings (Fire Insurance), 2R. 1923
Factories and Workshops, Comm. 76, 77, 80; *cl.* 5, 93; *cl.* 11, 102; *cl.* 13, 106, 116; *cl.* 16, 123; *cl.* 26, 317; *cl.* 27, 319, 320, 323, 326; *cl.* 30, Amendt. 327, 329; *cl.* 47, 337; Amendt. 338; *cl.* 65, 349; *cl.* 67, 458; *cl.* 68, 461; *cl.* 69, 468; *cl.* 80, 479; *add. cl.* 501, 502; Amendt. 503, 596, 603, 609, 611; Schedule 1, 614; Amendt. 884; Amendt. 885; Schedule 3, 888, 889; New Schedule, 891, 892

Municipal Franchise (Ireland) Bill
(*Major O'Gorman, Sir Joseph M'Kenna, Mr. Richard Power*)
c. Moved, "That the Bill be now read 2°" *Mar* 6, 796
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Kavanagh*); Question proposed, "That 'now,' &c.;" after debate, Question put; A. 160, N. 165; M. 5 (D. L. 42)
Words added; main Question, as amended, put, and agreed to; 2R. put off for six months [Bill 20]

MUNTZ, Mr. P. H., *Birmingham*
District Probate Registry, Lichfield, 538
Endowed Schools (Birmingham Scheme, &c.), Motion for an Address, 795
Factories and Workshops, Comm. *cl.* 13, Amendt. 102, 108; *cl.* 69, 471; *cl.* 99, 493; *cl.* 100, 498; Schedule 1, 884
Income Tax, Res. 401
Supply—Civil Services and Revenue Departments, 1630
"Hansard's Parliamentary Debates," 1556
Public Works Loan Commission, &c. 1554
Weights and Measures, 2R. 719

MURE, Colonel W., *Renfrew*
Army—Auxiliary Forces—Adjutants of Volunteers, Res. 640
Army Promotion and Retirement—Regimental Ranks of the Line, 649
Army Estimates—Land Forces, 680
Factories and Workshops, Comm. *cl.* 10, 96; *cl.* 11, 98
Mutiny, Comm. 1979; *cl.* 1, 1984; *cl.* 16, 2016
Roads and Bridges (Scotland), Comm. 1772, 1778, 1779; *cl.* 4, 1804, 1808; *cl.* 8, 1820

Mutiny Bill (*Mr. Secretary Hardy, The Judge Advocate, Colonel Loyd Lindsay*)
c. Ordered; read 1°* *Mar* 7
Read 2°* *Mar* 22
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 25, 1976; after short debate, Question put; A. 128, N. 12; M. 116 (D. L. 65); Committee—R.P.

NAGHTEN, Colonel A. R., *Winchester*
Army—Auxiliary Forces, 448

National Portrait Gallery, South Kensington
Moved, "That, in the opinion of this House, the time has come for the Treasury to carry out the promise made by it in March 1876, of appropriating certain specified portions of the Exhibition Buildings at South Kensington for the accommodation of the National Portrait Gallery, in addition to the apartments already occupied by that Gallery" (*Mr. Beresford Hope*) *Mar* 5, 759; after short debate, Motion withdrawn
Question, Mr. W. Cartwright; Answer, Mr. Gerard Noel *Mar* 21, 1749

NAVY
MISCELLANEOUS QUESTIONS
Admiralty Payments, Question, Colonel Makins; Answer, Mr. W. H. Smith *Mar* 22, 1840
Case of Mr. John Clare, Observations, Mr. Biggar; Reply, Mr. A. F. Egerton *Mar* 14, 1335; Observations, Mr. O'Donnell, Mr. Parnell; Reply, Mr. Assheton Cross, 1370; Question, Mr. O'Donnell; Answer, Mr. W. H. Smith *Mar* 21, 1757
Case of Thomas Maguire, Question, Mr. O'Connor Power; Answer, Mr. W. H. Smith *Mar* 12, 1142
Charges for Pilotage, Question, Mr. Dalrymple; Answer, Mr. W. H. Smith *Mar* 1, 535
Coal Contracts, Question, Mr. Gourley; Answer, Mr. W. H. Smith *Feb* 22, 158
H.M.S. "Beagle"—Execution of a Native of Tanna—Judicial Powers of Naval Commanders, Question, Mr. Childers; Answer, Mr. W. H. Smith *Mar* 18, 1494; Questions, Lord Francis Hervey, Mr. Childers; Answers, Mr. W. H. Smith *Mar* 21, 1744; Question, Mr. A. M'Arthur; Answer, Sir Michael Hicks-Beach, 1756
H.M.S. "Eurydice," Foundering of, Question, Lord Sudeley; Answer, Lord Elphinstone *Mar* 25, 1925; Question, Mr. Goschen; Answer, Mr. W. H. Smith, 1959; Observations, Mr. W. H. Smith, 2032
Reserved or Retired Officers, Question, Mr. P. A. Taylor; Answer, Mr. W. H. Smith *Feb* 22, 152
Roman Catholic Chaplains, Question, Mr. Sullivan; Answer, Mr. W. H. Smith *Feb* 26, 376; Questions, Mr. Newdegate; Answers, Mr. W. H. Smith *Mar* 21, 1756
Royal Naval Artillery Volunteers, Question, Mr. T. Brassey; Answer, Mr. W. H. Smith *Feb* 28, 446

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NAVY—*cont.*
The "Independencia," Question, Admiral Egerton; Answer, Mr. W. H. Smith *Mar.* 21, 1743
The Report of the Boiler Committee, Question, Mr. T. Brassey; Answer, Mr. W. H. Smith *Feb* 28, 446
Torpedo Boats, Question, Mr. James Stewart; Answer, Mr. W. H. Smith *Mar* 8, 977

Navy—Designs of Ships of War
Notice of Motion on Committee of Supply *Mar* 11, "That a Select Committee be appointed to inquire into the system followed by the Admiralty in obtaining and settling designs for ships of war, and carrying such designs into execution when adopted; and to report whether any and what improvement may be effected in that system" (*Mr. Seely*), 1057; Observations, Mr. Seely; after long debate, Moved, "That the Debate be now adjourned" (*Mr. Gorst*); Question put, and agreed to; Debate adjourned
Debate resumed *Mar* 14, 1300

Navy — Seamen and Marines' Widows' Pension Fund
Amendt. on Committee of Supply *Mar* 18, To leave out from "That," and add "in the opinion of this House, the establishment of a Fund to provide Pensions for the Widows of Seamen of the Royal Navy and Royal Marines, such Fund to be supported by contributions from the men themselves and partly by Government aid, would tend to bind the men more closely to the service, check desertion, and prove a salutary and economical measure; and that a Select Committee be appointed to inquire into the best means of establishing such a Fund" (*Captain Price*) *v.*, 1495; Question proposed, "That the words, &c.;" after short debate, Question put, and agreed to

NELSON, Earl
St. Katherine's Hospital—Royal Commission, 1871, 1383

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
County Government, Comm. 939
Factories and Workshops, Comm. *cl.* 65, 351, 354; *cl.* 68, 462; *cl.* 69, 474; *cl.* 99, 486, 488, 489, 490; *add. cl.* 598; Schedule 2, 887; Schedule 3, *ib.*
Navy—Roman Catholic Chaplains, 1756
Navy Estimates — Departmental Statement, 1462, 1464, 1465, 1467, 1468
Parliament—Cost of Returns, Res. 1051
Parliament—Household Franchise, Res. 237
Parliament — Public Petitions Committee — Fictitious Petitions, Report, 1740

Newfoundland — Appointment of Magistrate
Question, Mr. A. M'Arthur; Answer, Sir Michael Hicks-Beach *Feb* 28, 451

New Zealand—Crown Redress (No. 2) Act
Question, Mr. Courtney; Answer, Sir Michael Hicks-Beach *Mar* 15, 1395

NOEL, Right Hon. G. J. (First Commissioner of Works), *Rutland*
Factories and Workshops, Comm. *add. cl.* 601
Malay Peninsula—Expenses of the Expedition, 448
Metropolis—Hyde Park, 873
National Portrait Gallery, South Kensington, 1749
Ordnance Survey, 1143
Public Health—Ventilation of the Law and Police Courts, 1044
Roads and Bridges (Scotland), Comm. *cl.* 3, 1791; Amendt. 1793
Supply—Clockmill Estate, Edinburgh, Purchase of, 1531
  Marlborough House, 1520, 1521
  Natural History Museum, 1539
  Parks and Pleasure Gardens, 1522
  Public Offices Site, 1540, 1541
  Royal Palaces, 1517, 1518, 1519, 1520
  Wellington Monument, 1538
Ventilation of Public Buildings — Police Courts, 972

NOLAN, Major J. P., *Galway Co.*
American Mail Service, Res. 1649
Army (India)—Artillery Pensions, 1044
Army Promotion and Retirement—Regimental Ranks of the Line, 652
Army Estimates—Land Forces, 672, 717
Breech-Loading Ordnance, Res. 1146
Exchequer Bonds (£1,000,000), Comm. 723
Factories and Workshops, Comm. *cl.* 99, 485, 487, 488, 491, 494, 497; *add. cl.* Motion for reporting Progress, 611, 613
Grand Jury Law Amendment (Ireland), Leave, 514
Merchant Seamen, Nomination of Committee, Amendt. 259
Mutiny, Comm. 1979; *cl.* 6, 2002; *cl.* 9, 2004; *cl.* 16, 2020
Navy Estimates — Departmental Statement, 1466
  Victualling Yards at Home and Abroad, 1470
Parliament—Household Franchise, Res. 255
Representation of Minorities, Res. 1007
Supply—Civil Services and Revenue Departments, 1626; Amendt. 1627, 1628, 1632
  Clockmill Estate, Edinburgh, Purchase of, 1531
  Provisions, Forage, &c. 1625
  Queen's University, Ireland, 1568; Amendt. 1575
  Science and Art Museum, Dublin, 1542
  Temporary Commissions, 1612, 1613, 1614
Tenants' Improvements (Ireland), 2R. 1680
Weights and Measures, 2R. 721

NORTHCOTE, Right Hon. Sir S. H. (*see* Chancellor of the Exchequer)

NORWOOD, Mr. C. M., *Kingston-upon-Hull*
Army—Defences of the Humber, 636

Noxious Vapours, Commission on — The Report
- Question, Colonel Blackburne; Answer, Mr. Sclater-Booth *Mar* 5, 756

O'Beirne, Major F., *Leitrim*
- Army Estimates—Land Forces, 712
- Army Promotion and Retirement—Regimental Ranks of the Line, 652
- Mutiny, Comm. *cl.* 1, 1990; *cl.* 9, Amendt. 2003

O'Brien, Sir P., *King's Co.*
- Factories and Workshops, Comm. *cl.* 79, 476
- Mutiny, Comm. *cl.* 16, 2013

O'Clery, Mr. K., *Wexford Co.*
- Grand Jury Law Amendment (Ireland), Leave, 525
- Indian Press Law, Res. 1605
- Mutiny, Comm. *cl.* 16, 2020
- Parliament—Privilege—Petitions—Sale of Intoxicating Liquors on Sunday (Ireland), 1485
- Parliament — Public Petitions Committee — Fictitious Petitions, Report, 1973
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 723, 874
- Supply—Civil Services and Revenue Departments, 1629
  - Queen's University (Ireland), 1574; Amendt. 1578
- Tenants' Improvements (Ireland), 2R. 1694

O'Conor Don, The, *Roscommon Co.*
- Factories and Workshops, Comm. *cl.* 10, 95; *cl.* 11, 98, 101; *cl.* 13, 108, 111, 113; Amendt. 114; *cl.* 15, Amendt. 119, 121; *cl.* 16, Amendt. *ib.*, 124
- Parliament — Public Petitions Committee—Fictitious Petitions, Report, 1973
- Waste Lands (Ireland), 2R. 17

O'Conor, Mr. D. M., *Sligo Co.*
- Parliament — Public Petitions Committee — Fictitious Petitions, Report, 1740

O'Donnell, Mr. F. H., *Dungarvan*
- County Government, Comm. 934, 941
- Factories and Workshops, Comm. *cl.* 65, 354
- Grand Jury Law Amendment (Ireland), Leave, 523
- India—Miscellaneous Questions
  - Licence Tax Act, 1758
  - Maharajah Scindiah, 1757
  - Taxation, 156, 157
- Indian Press Law, Res. 1596, 1603, 1606
- Ireland—Royal College of Science, Dublin, 378
- Mutiny, Comm. 1982; *cl.* 1, 1984, 1986, 1987, 1992, 1995, 2000; *cl.* 2, 2002; *cl.* 4, *ib.*; *cl.* 16, 2021, 2023; *cl.* 17, 2024; *cl.* 18, Amendt. *ib.*, 2030; *cl.* 19, *ib.*
- Navy—Clare, Mr. John, Case of, 1370, 1757
- Parliament—Public Business, Nomination of Select Committee, 364
- Queen's Colleges and University (Ireland), 2R. 29, 378
- South Africa, 1511

O'Donnell, Mr. F. H.—*cont.*
- Supply—Chief Secretary for Ireland Offices, 1557
  - Civil Contingencies Fund, Re-payments to, 1622
  - Civil Services and Revenue Departments, 1630
  - Civil Service Commission, 1546
  - Clockmill Estate, Edinburgh, Purchase of, 1531
  - Law Charges, 1559
  - Lighthouses Abroad, 1543
  - Post Office Telegraph Disallowances, 1623
  - Public Offices Site, 1541
  - Queen's University in Ireland, 1560, 1570, 1572, 1576
  - Report, 1632
  - Royal Palaces, 1520
  - Temporary Commissions, 1614, 1615

O'Gorman, Major P., *Waterford*
- Municipal Franchise (Ireland), 2R. 796, 799
- Mutiny, Comm. *cl.* 1, 2000
- Sale of Intoxicating Liquors on Sunday (Ireland), 1293

O'Leary, Dr. W. H., *Drogheda*
- Mr. Gladstone and Mr. Layard—Negroponte Correspondence, Res. 1191, 1193

Onslow, Earl of
- Ecclesiastical Benefices, Address for a Royal Commission, 968

Onslow, Mr. D. R., *Guildford*
- Customs—Wine Duties, Motion for a Select Committee, 571
- Eastern Question—The Congress—Advance of the Russian Army, 1287
- Factories and Workshops, Comm. 75; *cl.* 3, 87
- India—Jowakis, 301
- Mutiny, Comm. *cl.* 1, 1988
- Parliament—Public Business—Nomination of Select Committee, 363
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. 723

Ordnance Survey; The
- Question, Mr. Osborne Morgan; Answer, Mr. Gerard Noel *Mar* 12, 1143

O'Reilly, Mr. M. W., *Longford Co.*
- Army—Enlistment for India, 663
- Army Promotion and Retirement—Regimental Ranks of the Line, 646
- Army Estimates—Divine Service, 718
- Factories and Workshops, Comm. *cl.* 99, 489
- Grand Jury Law Amendment (Ireland), Leave, 517
- Mr. Gladstone and Mr. Layard—Negroponte Correspondence, Res. 1175
- Parliament—Household Franchise, Res. 197, 199
- Waste Lands (Ireland), 2R. 12

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O'Shaughnessy, Mr. R., *Limerick*
Bar Education and Discipline, 2R. 134
Capital Punishment Abolition, 2R. 1256
Convict Prison Discipline—The Commission, 1399
Factories and Workshops, Comm. *cl.* 65, 349, 355; *cl.* 69, 472; *add. cl.* 505, 590, 611
Grand Jury Law Amendment (Ireland), Leave, 516
Mutiny, Comm. *cl.* 16, 2013
Parliament—Public Business, 157
Public Health (Ireland), Comm. 722
Supply—Report, 946
Waste Lands (Ireland), 2R. 28

O'Sullivan, Mr. W. H., *Limerick Co.*
Merchant Seamen, Nomination of Committee, 260
Mutiny, Comm. *cl.* 16, 2018, 2022
Parliament—Public Petitions Committee—Fictitious Petitions, Report, 1964, 1976
Tenants' Improvements (Ireland), 2R. 1683
Waste Lands (Ireland), 2R. 23

Paris, The Declaration of — Maritime Belligerent Rights
Amendt. on Committee of Supply *Mar* 22, To leave out from "That," and add "in the opinion of this House, the state of International Law with reference to Maritime Belligerent Rights is unsatisfactory, and calls for the careful attention of Her Majesty's Government" (*Sir John Lubbock*) *v.*, 1842; Question proposed, "That the words, &c.;" after long debate, Question put, and agreed to

Parker, Mr. C. S., *Perthshire*
Endowed Schools (Scotland), 1947
Factories and Workshops, Comm. *cl.* 22, 316
Representation of Minorities, Res. 1017
Roads and Bridges (Scotland), Comm. *cl.* 3, Amendt. 1794, 1795

Parliament
LORDS—
Private Bills
On the Motion of the Chairman of Committees, it was—
Ordered, That this House will not receive any petition for a Private Bill after Friday the 15th day of March next, unless such Private Bill shall have been approved by the Chancery Division of the High Court of Justice; nor any petition for a Private Bill approved by the Chancery Division of the High Court of Justice after Friday the 3rd day of May next:
That this House will not receive any report from the Judges upon petitions presented to this House for Private Bills after Friday the 3rd day of May next *Feb* 25

The Easter Recess, Question, Earl Granville; Answer, The Earl of Beaconsfield *Mar* 15, 1381

Parliament—*cont.*
COMMONS—
Private Bills—Bradford Tramway Company, Question, Mr. W. E. Forster: Answer, Colonel Stanley *Mar* 25, 1956
Private Bill Business, Question, Mr. Thomson Hankey; Answer, The Chancellor of the Exchequer *Mar* 25, 1958
Standing Orders—Hybrid Bills, Question, Mr. Gorst; Answer, Mr. Raikes *Mar* 22, 1837

Business of the House
Question, Mr. Dillwyn; Answer, The Chancellor of the Exchequer *Mar* 11, 1048; Question, Mr. Rylands; Answer, The Chancellor of the Exchequer; Observations, Mr. Mark Stewart *Mar* 15, 1401
Bar Education and Discipline Bill, Questions, Dr. Kenealy; Answers, The Chancellor of the Exchequer *Feb* 22, 157; *Mar* 11, 1046

Public Business
Amendments on Supply, Question, Mr. Hibbert; Answer, The Chancellor of the Exchequer *Mar* 15, 1400
Intermediate Education (*Ireland*), Question, Mr. O'Shaughnessy; Answer, Mr. J. Lowther *Feb* 22, 157; Question, Mr. P. Martin; Answer, Mr. J. Lowther *Mar* 22, 1838
The Mutiny Bill, Question, Mr. Parnell; Answer, Mr. Gathorne Hardy *Feb* 28, 446
The Marine Mutiny Bill, Question, Mr. Parnell; Answer, Mr. W. H. Smith *Feb* 28, 447
Mines, Question, Mr. Macdonald; Answer, The Chancellor of the Exchequer *Mar* 18, 1487

Sittings of the House
Resolved, That this House do meet To-morrow at Two of the clock (*Mr. Chancellor of the Exchequer*) *Mar* 5
Resolved, That the sitting of this House at Two of the clock To-morrow be held subject to the Resolution of the House of the 30th day of April, 1869 *Mar* 18, *Mar* 25

The Easter Recess—Arrangement of Business, Question, Mr. Dillwyn; Answer, The Chancellor of the Exchequer *Mar* 14, 1291

Reporting the Debates, Question, Mr. Dillwyn; Answer, The Chancellor of the Exchequer *Mar* 18, 1487

Parliament—Business of the House
Moved to resolve, "That, in the opinion of this House, the sittings for Public Business should commence at 4 P.M. instead of 5 P.M." (*The Viscount Midleton*) *Mar* 4, 616; after debate, Motion withdrawn

Parliament—Cost of Returns
Amendt. on Committee of Supply *Mar* 11, To leave out from "That," and add "Members asking for Returns should previously ascertain from the Department the approximate expense and time required for their production, and give this information to the House when moving for the same" (*Mr. Hermon*) *v.*, 1049; Question proposed, "That the words, &c.;" after short debate, Question put, and agreed to

[*cont.*

Parliament—Household Franchise

Amendt. on Committee of Supply *Feb* 22, To leave out from "That," and add "in the opinion of this House, it would be desirable to establish, throughout the whole of the United Kingdom, a Household Franchise similar to that now established in the English Boroughs" (*Mr. Trevelyan*) *v.*, 159; Question proposed, "That the words, &c.;" after long debate, Question put; A. 271, N. 219; M. 52

Div. List, A. and N., 255

Parliament—Order of Business

Moved, "That the Orders of the Day subsequent to the Factories and Workshops Bill be postponed until after the Notice of Motion relating to the Amendment of the Grand Jury Law in Ireland" (*Mr. Chancellor of the Exchequer*) *Feb* 28, 453; after short debate, Motion agreed to

Parliament—Public Business

Mr. Chancellor of the Exchequer, The Marquess of Hartington, Mr. Mowbray, and Mr. Dodson nominated Members of the Select Committee *Feb* 25, 361

Moved, "That Mr. Whitbread be one other Member of the Committee;" after short debate, Moved, "That the Debate be now adjourned" (*Dr. Cameron*); after further short debate, Question put; A. 17, N. 72; M. 55; (D. L. 309)

Original Question put, and agreed to; Moved, "That the Debate be now adjourned" (*Mr. J. W. Barclay*); after short debate, Motion withdrawn; other Members nominated, 368

Parliament — Privilege — Petitions—Sale of Intoxicating Liquors on Sunday (Ireland) Bill

Questions, Mr. Macartney, Mr. O'Clery; Answers, Sir Charles Forster *Mar* 18, 1485

Parliament—Public Petitions Committee —Fictitious Petitions

Special Report brought up, and read *Mar* 21, 1737

Moved, "That the Special Report do lie upon the Table"

Amendt. to leave out from "Report," and add "be referred back to the Public Petitions Committee, and that they inquire into the circumstances connected with the Petitions mentioned in the said Report, and make a Report thereupon to the House" (*Mr. Meldon*) *v.*; Question proposed, "That the words, &c.;" after short debate, Moved, "That the Debate be now adjourned" (*Sir Wilfrid Lawson*); after further short debate, Question put, and agreed to; Debate adjourned

Ordered, That the Special Report be printed (No. 97)

Debate resumed *Mar* 25, 1961; Question put, and negatived

Question proposed, "That the words 'be referred back to the Public Petitions Committee, and that they inquire into the circumstances connected with the Petitions mentioned in the said Report, and make a Report thereupon to the House,' be there added," 1972

Amendt. proposed to the proposed Amendt. to insert, after "the said Report," "and all other Petitions presented to the House during this Session for and against the Sale of Intoxicating Liquors on Sunday (Ireland) Bill" (*Mr. Maurice Brooks*); Question proposed, "That those words be there inserted;" after short debate, Amendt. to Amendt. withdrawn

Main Question, as amended, put, and agreed to

Parliament—Representation of Minorities

Amendt. on Committee of Supply *Mar* 8, To leave out from "That," and add "in the opinion of this House, it is desirable that the whole electoral body should be enabled to enjoy that direct representation which is at present confined to majorities:

"That no effectual security exists for the due representation of minorities:

"And that, as far as possible, all opinions should have an opportunity of being represented in direct proportion to the number of electors by whom they are held" (*Mr. Blennerhassett*) *v.*, 979; Question proposed, "That the words, &c.;" after debate,

[House counted out]

PARLIAMENT—HOUSE OF LORDS

Sat First

Mar 5—The Earl Bathurst, after the death of his Uncle.

PARLIAMENT—HOUSE OF COMMONS

New Writs Issued

Feb 25—*For* Canterbury, *v.* Henry Alexander Munro Butler-Johnstone, esquire, Chiltern Hundreds

Mar 4—*For* Cirencester, *v.* Allen Alexander Bathurst, esquire, called up to the House of Peers

Mar 8—*For* Mid-Somerset, *v.* Ralph Neville-Grenville, esquire, Manor of Northstead

For Hereford City, *v.* Evan Pateshall, esquire, Chiltern Hundreds

Mar 11—*For* East Somerset, *v.* Richard Bright, esquire, deceased

Mar 22—*For* the City of Worcester, *v.* Alexander Clunes Sherriff, esquire, deceased

Mar 25—*For* Belfast, *v.* William Johnston, esquire, Inspector of Fisheries (Ireland)

New Members Sworn

Feb 20—James Lowther, esquire, *York City*

Mar 4—Alfred Erskine Hardy, esquire, *Canterbury*

Mar 14—Thomas William Chester Master, esquire, the younger, *Cirencester*

Mar 18—Lieutenant Colonel George Arbuthnot, *Hereford City*

[*cont.*

PARLIAMENT—COMMONS—*New Members Sworn*—cont.
Mar 20—William Stephen Gore Langton, esquire, *Mid Division of the County of Somerset*
Mar 22—Philip John William Miles, esquire, *Eastern Division of the County of Somerset*

Parliamentary and Municipal Registration Bill (*Mr. Alfred Marten, Mr. Torr, Mr. Dodds*) [Bill 73]
c. Oedered, That the Select Committee have power to consolidate the three Bills referred to that Committee, namely, the Parliamentary and Municipal Registration Bill, the Parliamentary Electors Registration Bill, and the Borough Voters Bill (*Mr. Marten*) *Feb* 28

Parliamentary Elections (Metropolis) Bill (*Earl Cadogan*)
l. Read 3ª* *Feb* 21 (No. 12)
Royal Assent *Feb* 25 [41 *Vict.* c. 4]

PARNELL, Mr. C. S., *Meath*
Army Estimates—Divine Service, 718
County Government, Comm. Motion for Adjournment, 937, 943
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Patent Law Amendment Bill (*Mr. Mundella, Mr. Dalrymple, Mr. Alexander Brown*)
c. Ordered; read 1º* *Mar* 13 [Bill 127]

Patent Laws, The—Legislation
Question, Observations, Earl Granville; Reply, The Lord Chancellor *Mar* 19, 1579

PEASE, Mr. J. W., *Durham, S.*
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Eastern Question—The Congress, 1336, 1352, 1593, 1594
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PELL, Mr. A., *Leicestershire, S.*
Blind and Deaf-Mute Children (Education), Comm. 1579
Poor Law Amendment Act (1876) Amendment, Comm. 2032
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Town Councils, Local Boards, and other Local Governing Bodies, 2R. Motion for Adjournment, 825

Penal Servitude Commission—Fenian Convicts
Question, Mr. Ryder; Answer, Mr. Assheton Cross *Mar* 21, 1758

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PIM, Captain B., *Gravesend*
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PLIMSOLL, Mr. S., *Derby Bo.*
Merchant Seamen's Act—Insubordination on Shipboard, 1142

PLUNKET, Hon. D. R., *Dublin University*
Eastern Question—Congress, The, 1363
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PLUNKETT, Hon. R. E., *Gloucester, W.*
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Police Superannuation—Legislation
Question, Mr. Cotes; Answer, Mr. Assheton Cross *Mar* 7, 872

Poor Law
North Surrey District School—Detention of a Child, Question, Mr. Redmond; Answer, Mr. Sclater-Booth *Mar* 4, 634
Scotland—Case of Agnes Adams, Question, Mr. P. Martin; Answer, Sir Henry Selwin-Ibbetson *Feb* 21, 58

Poor Law Amendment Act (1876) Amendment Bill (*Mr. Mellor, Mr. Merewether, Sir Charles Forster, Mr. Phipps, Mr. Cowan, Mr. Hibbert*)
c. Read 2° * *Mar* 11 [Bill 103]
Committee; Report, after short debate *Mar* 25, 2032 [Bill 103]

Poor Law and Highway Boards (*Union of Parishes*)
Moved that an humble Address be presented to Her Majesty for—
"Return of all complaints made to any public offices of inconvenience arising from the union of parishes belonging to different counties in Poor Law or Highway Boards" (*The Earl of Redesdale*) *Mar* 8, 953; Address agreed to

Poor Law Guardians, &c.
Select Committee appointed "to inquire into the system under which Guardians of the Poor and Members of Local Boards in England and Ireland and Members of Parochial Boards in Scotland, are at present elected; and to report whether it is desirable to make any, and, if so, what change in such system; and also, whether it is desirable to extend the term of office for which Guardians of the Poor and Members of Parochial Boards are now elected" (*Mr. Hibbert*) *Mar* 12; List of the Committee, 1236

Poor Laws (*Scotland*) *Bill*
Question, Mr. Fraser-Mackintosh; Answer, Mr. Assheton Cross *Mar* 14, 1287

Poor Law, The—Election of Poor Law Guardians
Amendt. on Committee of Supply *Mar* 1, To leave out from "That," and add "a Select Committee be appointed to inquire into the system under which Guardians of the Poor in England and Ireland, and Members of Parochial Boards in Scotland, and Members of Local Boards, are at present elected; and to report whether it is desirable to make any change in the manner of conducting such elections, either by the adoption of the ballot or otherwise; and also, whether it is desirable to extend the term of office for which Guardians and Members of Parochial Boards are now elected" (*Mr. Hibbert*) *v.*, 541; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

POST OFFICE
Mail Contracts—Peninsular and Oriental Steam Shipping Company, Question, Mr. Hopwood; Answer, Lord John Manners *Mar* 8, 973
Mails to the West of England, Question, Dr. Lush; Answer, Lord John Manners *Mar* 7, 872

Telegraph Department
Lundy Island, Question, Mr. Monk; Answer, Lord John Manners *Mar* 1, 538
The Telephone, Question, Mr. Childers; Answer, Lord John Manners *Feb* 21, 58

Post Office—American Mail Service
Moved, "That, in the opinion of this House, the time for monopoly in the American Mail Service has passed, and the recent change made by the Government, after a period of freedom, in re-establishing monopoly and subsidizing favoured Companies by paying them nearly double the rates paid by the American Government, and lately paid by ourselves, is wrong in principle and prejudicial to the public service" (*Mr. Anderson*) *Mar* 19, 1633; after debate, Question put; A. 92, N. 117; M. 25 (D. L. 59)

POTTER, Mr. T. B., *Rochdale*
India—Famine—The Census, 1742
Salt Laws, 1484
Malta and Ceylon—Food Taxes, 1041

POWER, Mr. J. O'Connor, *Mayo*
Capital Punishment Abolition, 2R. 1271
Criminal Law—Fenian Convict Patrick Melody, 1141
Factories and Workshops, Comm. *cl.* 22, 317; *cl.* 65, 345, 346, 349, 352; *cl.* 99, 490
Law and Justice (Ireland)—Mr. Justice Keogh, Charge of, 1951, 1953
Mutiny, Comm, 1979; *cl.* 1, Amendt. 1983, 1989, 1998; *cl.* 2, Amendt. 2001; *cl.* 9, 2003; *cl.* 16, Amendt. 2004, 2006, 2009, 2011, 2014, 2018, 2019, 2020, 2022; *cl.* 18, Motion for reporting Progress, 2026, 2029
Navy—Case of Thomas Maguire, 1142
Sergeant M'Carthy, The Late, 1294

PRICE, Captain G. E., *Devonport*
Navy—Designs of Ships of War, Motion for a Select Committee, 1305
Navy Estimates—Departmental Statement, 1439
Seamen and Marines—Victuals and Clothing, 1469
Seamen and Marines' Widows' Pension Fund, Res. 1495, 1505

Prisons (Scotland) Act, 1877—*Cell Accommodation*
Question, Mr. J. W. Barclay; Answer, Mr. Assheton Cross *Feb* 28, 448

Public Baths and Washhouses Bill
(*Mr. Forsyth, Sir Thomas Chambers, Mr. Ritchie, Colonel Beresford*)
c. Committee*; Report *Mar* 4 [Bill 37]
Read 3°* *Mar* 7
l. Read 1ª* (*Lord Houghton*) *Mar* 8 (No. 39)
Read 2ª *Mar* 21, 1707

Public Health
Death-Rate of the City of Dublin, Question, Mr. Meldon; Answer, Mr. J. Lowther *Mar* 7, 874
Small Pox, Question, Earl Percy; Answer, Mr. Sclater-Booth *Mar* 5, 754
Ventilation of the Law and Police Courts, Question, Sir Charles Russell; Answer, Mr. Gerard Noel *Mar* 8, 972; Question, Mr. Coope; Answer, Mr. Gerard Noel *Mar* 11, 1044

Public Health (Ireland) Bill (*Sir Michael Hicks-Beach, Mr. Attorney General for Ireland*)
c. Committee deferred, after short debate *Mar* 4, 722 [Bill 1]

Public Offices—Purchase of Land
Question, Mr. Goldsmid; Answer, Colonel Stanley *Mar* 11, 1043

Public Parks (Scotland) Bill
(*Lord Kinnaird*)
l. Committee *Feb* 26, 369 (No. 18)
Report * *Mar* 1
Read 3ª* *Mar* 7
Royal Assent *Mar* 18 [41 *Vict.* c. 8]

Public Prosecutor Bill
(*Sir Eardley Wilmot, Mr. Walpole, Mr. Watkin Williams, Mr. Serjeant Simon*)
c. Bill withdrawn* *Mar* 14 [Bill 105]

PULESTON, Mr. J. H., *Devonport*
American Mail Service, Res. 1649

Queen Anne's Bounty Bill
(*Mr. Bass, Mr. Monk, Mr. Arthur Bass*)
c. Bill withdrawn* *Mar* 13 [Bill 15]

Queen's Colleges and University (Ireland) Bill (*Mr. O'Donnell, Mr. O'Shaughnessy, Mr. Gray, Mr. Biggar, Mr. O'Connor Power*)
c. 2R. *Feb* 20, 29; Debate adjourned [Bill 26]
Question, Mr. O'Donnell; Answer, The Chancellor of the Exchequer *Feb* 26, 378

RAIKES, Mr. H. C. (Chairman of Committees of Ways and Means), *Chester*
Factories and Workshops, Comm. *cl.* 3, 86, 87; *cl.* 20, 312, 313; *cl.* 37, 331; *cl.* 99, 487, 488, 489, 490; *add. cl.* 602; Schedule 1, 614; New Schedule, 892
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RAMSAY, Mr. J., *Falkirk, &c.*
Criminal Law (Scotland)—Death of Mr. G. P. Chalmers, 755
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Supply—Civil Contingencies Fund, Re-payments to, 1621
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RATHBONE, Mr. W., *Liverpool*
Factories and Workshops, Comm. *add. cl.* 608
Grand Jury Law Amendment (Ireland), Leave, 522

READ, Mr. Clare S., *Norfolk, S.*
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REDESDALE, Earl of (Chairman of Committees)
Criminal Law—Alleged Cruelty, 725
Parliament—Business of the House, Res. 630
Poor Law and Highway Boards (Union of Parishes), Address for Return, 953

REDMOND, Mr. W. A., *Wexford*
Poor Law—North Surrey District School—Detention of a Child, 634

REED, Mr. E. J., *Pembroke*
Factories and Workshops, Comm. *add. cl.* 610
Navy—Designs of Ships of War, Motion for a Select Committee, 1111, 1120

RICHMOND AND GORDON, Duke of (Lord President of the Council)
Army—Mutiny Act, 1836
Cattle Plague—Transit of Cattle by Land and Sea, 1032
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Medical Act, 1858, Amendment, 1R. 1581
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RIPON, Marquess of
Contagious Diseases (Animals), 2R. 725; Comm. 830
Medical Act, 1858, Amendment, 1R. 1589

RITCHIE, Mr. C. T., *Tower Hamlets*
Factories and Workshops, Comm. *cl.* 17, 303, 307, 310, 311; *cl.* 27, 326; *cl.* 30, 328; *cl.* 32, 330; *cl.* 37, 331; *cl.* 99, 496
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Navy—Designs of Ships of War, Motion for a Select Committee, 1307

Roads and Bridges, Loans for
Question, General Sir George Balfour; Answer, Colonel Stanley *Mar* 4, 637

Roads and Bridges (Scotland) Bill
(*The Lord Advocate, Sir Henry Selwin-Ibbetson*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 21, 1759
Amendt. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Colonel Alexander*) *v.*; Question proposed, "That the words, &c.:" after debate, Question put; A. 104, N. 5; M. 99 (D. L. 62)
Main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee—R.P. [Bill 4]

RODWELL, Mr. B. B. H., *Cambridgeshire*
County Government, Comm. 915
Ecclesiastical Buildings (Fire Insurance), 2 R. 1919
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ROSEBERY, Earl of
Parliament—Business of the House, Res. 632, 633

RUSSELL, Sir C., *Westminster*
Copyright and Designs Act—Marks on China and Pottery, 1954
Ventilation of Public Buildings—Police Courts, 972

Russia and Persia
Question, Observations, The Earl of Dunraven; Reply, The Earl of Derby *Mar* 8, 950

Russia and the Porte—The Treaties of 1856 *and* 1871
Moved to resolve, That, in the opinion of this House, the recent correspondence on the affairs of Turkey justifies Her Majesty's Government in taking every precaution to discourage the serious encroachments by which the Treaties of 1856 and 1871 are threatened" (*The Lord Campbell*) *Feb* 25, 265; after long debate, a Question being stated, the Previous Question was put, "Whether the said Question shall be now put?" resolved in the negative
[See title *Turkey—The Eastern Question*]

RUTLAND, Duke of
Eastern Question—Treaties of 1856—Greece, 861

RYDER, Mr. G. R. D., *Salisbury*
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RYLANDS, Mr. P., *Burnley*
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Parliament—Public Petitions Committee—Fictitious Petitions, Report, 1970
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St. Katherine's Hospital—The Royal Commission, 1871
Question, Observations, Viscount Enfield; Reply, The Lord Chancellor; short debate thereon *Mar* 15, 1382

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Sale of Intoxicating Liquors on Sunday (Ireland) Bill (*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond*)
c. Committee deferred, after short debate *Mar* 4, 723
Question, Mr. Sullivan; Answer, The Chancellor of the Exchequer *Mar* 5, 756; Question, Mr. O'Clery; Answer, Sir Charles Forster *Mar* 7, 874; Question, Major O'Gorman; Answer, Sir Charles Forster *Mar* 14, 1293

Salisbury, Marquess of (Secretary of State for India)
India—The Deccan—Removal of Mr. Oliphant, 1925

Samuda, Mr. J. D'A., *Tower Hamlets*
Metropolis Water Works (Purchase), 2R. Amendt. 1224
Navy—Designs of Ships of War—Motion for a Select Committee, 1103, 1120
Navy Estimates—Departmental Statement, 1422, 1423, 1450, 1461

Samuelson, Mr. H. B., *Frome*
Mutiny, Comm. *cl.* 16, 2013, 2020

Sandford, Mr. G. M. W., *Maldon*
Parliament—Public Petitions Committee—Fictitious Petitions, Report, 1741
Supply—"Hansard's Parliamentary Debates," 1557

Sandon, Right Hon. Viscount (Vice President of Committee of Council on Education), *Liverpool*
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Education Code, 1878, Art. 17 (G)—Educational Returns, 1751;—Art. 19, 1753
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Sclater-Booth, Right Hon. G. (President of the Local Government Board), *Hampshire, N.*
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Defences of the Firth of Forth, Question, Mr. M'Laren; Answer, Mr. Gathorne Hardy *Mar* 15, 1399
Endowed Schools—Legislation, Question, Mr. C. S. Parker; Answer, Mr. Assheton Cross *Mar* 25, 1947
Lord Clerk Register—24 & 25 Vict. c. 71, Question, Mr. Fraser-Mackintosh; Answer, The Chancellor of the Exchequer *Mar* 18, 1486
Poor Law—Case of Agnes Adams, Question, Mr. P. Martin; Answer, Sir Henry Selwin-Ibbetson *Feb* 21, 58
Scotch University Commission, Question, Mr. Lyon Playfair; Answer, Mr. Assheton Cross *Mar* 7, 873
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Smith, Right Hon. W. H. (First Lord of the Admiralty), *Westminster*
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  - H.M.S. "Eurydice," Foundering of, 1959, 2032
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- Colonial Marriages, 2R. 425
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Speaker, The (Right Hon. H. B. W. Brand), *Cambridgeshire*
- Blind and Deaf-Mute Children (Education), Comm. 1579
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- Parliament—Household Franchise, Res. 214
- Parliament—Public Business, Nomination of Committee, 362, 363
- Parliament—Public Petitions Committee—Fictitious Petitions, Report, 1738, 1741, 1969, 1976

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- Contagious Diseases (Animals), 2R. 738

Stafford, Marquess of, *Sutherland*
- Roads and Bridges (Scotland), Comm. *cl.* 12, Amendt. 1825

Stanhope, Earl
- Army—Mutiny Act, 1833
- Eastern Question—Conference—The Presidency, 1036
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Stanhope, Hon. E. (Parliamentary Secretary to the Board of Trade, *Lincolnshire, Mid*
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  Royal Palaces, 1520
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  Temporary Commissions, 1615
  Treasury, 1545

STANSFELD, Right Hon. J., *Halifax*
County Government, Comm. 921
Endowed Schools (Leeds Poors Estate), Motion for an Address, 1660

STANTON, Mr. A. J., *Stroud*
Factories and Workshops, Comm. *add. cl.* 501; Schedule 3, Amendt. 888
Mercantile Amendment Act, 1856—Bills of Exchange, 1592

STARKEY, Mr. L. R., *Yorkshire, W. R., S. Div.*
Factories and Workshops, Comm. *cl.* 5, Amendt. 92; *cl.* 10, 96; *cl.* 17, Amendt. 309, 312; *cl.* 22, Amendt. 314; *cl.* 30, 328; *cl.* 67, 458; *cl.* 68, 464

Statute Law Revision (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. James Lowther*)
c. Ordered; read 1° * *Mar* 1 [Bill 122]

STEWART, Mr. M. J., *Wigton Bo.*
Army—Defences of the Clyde, 1752
Factories and Workshops, Comm. 74
Navy—Torpedo Boats, 977
Parliament—Business of the House, 1402
Roads and Bridges (Scotland), Comm. *cl.* 4, 1803; *cl.* 6, 1815, 1817; *cl.* 8, Amendt. 1820

STORER, Mr. G., *Nottinghamshire, S.*
County Government, Comm. 918
Factories and Workshops, Comm. 80
Grand Jury Law Amendment (Ireland), Leave, 524

STRATHNAIRN, Lord
Army—Mutiny Act, 1835

SUDELEY, Lord
Matrimonial Causes Acts Amendment, 2R. 1136
Navy—H.M.S. "Eurydice," Foundering of, 1925

Sugar Convention
Question, Mr. Wait; Answer, Mr. Bourke *Feb* 22, 154

SULLIVAN, Mr. A. M., *Louth Co.*
County Government, Comm. 939
Factories and Workshops, Comm. *cl.* 99, 489, 492, 496, 497
India—Press Law, 1592
Law and Justice (Ireland)—Sir John Ennis, 1396;—Mr. Justice Keogh, Charge of, 1948, Motion for Adjournment, 1950, 1954
Merchant Seamen, Nomination of Committee, 259
Mr. Gladstone and Mr. Layard—Negroponte Correspondence, Res. 1187
Municipal Franchise (Ireland), 2R. 818, 819, 820
Mutiny, Comm. *cl.* 16, 2010, 2011, 2014, 2017, 2021
Navy—Roman Catholic Chaplains, 376
Navy Estimates—Departmental Statement, 1419
Parliament—Public Petitions Committee—Fictitious Petitions, Report, 1968
Sale of Intoxicating Liquors on Sunday (Ireland), 756
Supply—Queen's University, Ireland, 1571, 1576, 1578
  Report, 1633

SUPPLY
MISCELLANEOUS QUESTIONS
The Vote of Credit and the Navy Estimates, Question, Sir John Hay; Answer, Mr. W. H. Smith *Mar* 7, 877
Civil Service Estimates, Observations, Mr. Dillwyn, General Sir George Balfour; Reply, Colonel Stanley; Observations, Mr. Rylands *Mar* 18, 1505
Civil Service Estimates (*Supplementary*)—*Class I., Vote 4—The Clockmill Estate,* Question, Sir Windham Anstruther; Answer, Mr. W. H. Smith *Mar* 25, 1958

SUPPLY
Considered in Committee *Mar* 4, 665—ARMY ESTIMATES — DEPARTMENTAL STATEMENT OF THE SECRETARY OF STATE FOR WAR
Resolutions reported *Mar* 6, 825
Moved, "That the said Resolutions be now read a second time;" Debate adjourned
Debate resumed *Mar* 7, 943

[*cont.*

SUPPLY—*cont.*
First Resolution read a first time; on Question, "That the Resolution be read a second time;" after short debate, Question put, and agreed to
Second Resolution read a first time, 945; on Question, "That the Resolution be read a second time"
Amendt. to leave out "£4,572,000," and insert "£4,565,090" (*Mr. Parnell*) *v.*; Question proposed, "That '£4,572,000' &c.;" after short debate, Amendt. withdrawn; Resolution agreed to
Subsequent Resolutions agreed to
Moved, "That this House will immediately resolve itself into the Committee of Supply" (*Mr. Chancellor of the Exchequer*) *Mar* 11, 1048; after short debate, Question put, and agreed to
Considered in Committee *Mar* 15, 1404—NAVY ESTIMATES—Departmental Statement of the First Lord of the Admiralty—Resolutions reported *Mar* 18
Considered in Committee *Mar* 18, 1516—CIVIL SERVICE AND REVENUE DEPARTMENTS SUPPLEMENTARY ESTIMATES, 1877-8—CLASS I.—PUBLIC WORKS AND BUILDINGS—CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS—CLASS III.—LAW AND JUSTICE—CLASS IV.—EDUCATION, SCIENCE, AND ART
Resolutions reported *Mar* 19, 1632
First Twenty-nine Resolutions agreed to
The last Resolution read a second time
Moved, "That this House doth agree with the Committee in the said Resolution;" after short debate, Question put; A. 237, N. 16, M. 221 (D. L. 58)
Considered in Committee *Mar* 19, 1606—CIVIL SERVICES, SUPPLEMENTARY ESTIMATES, 1877-8—CLASS V.—COLONIAL, CONSULAR, AND OTHER FOREIGN SERVICES—CLASS VI.—SUPERANNUATION AND RETIRED ALLOWANCES, AND GRATUITIES FOR CHARITABLE AND OTHER PURPOSES—CLASS VII.—MISCELLANEOUS, SPECIAL, AND TEMPORARY OBJECTS—REVENUE DEPARTMENTS—ARMY SUPPLEMENTARY ESTIMATE, 1877-8—NAVY SUPPLEMENTARY ESTIMATE, 1877-8—CIVIL SERVICES AND REVENUE DEPARTMENTS, EXCESSES 1876-7.

TALBOT, Mr. J. G., *Kent, W.*
County Courts Jurisdiction (No. 2), 2R. 1479
Licensing—Licensed Houses, 975
Poor Law—Election of Poor Law Guardians, Motion for a Select Committee, 550

TAYLOR, Mr. D., *Coleraine*
Factories and Workshops, Comm. *cl.* 99, 485; *add. cl.* 505
Grand Jury Law Amendment (Ireland), Leave, 526

TAYLOR, Mr. P. A., *Leicester Bo.*

Criminal Law—Case of John Roberts, 1140
Education Code, 1878, Art. 17 (G)—Educational Returns, 1751
Factories and Workshops, Comm. *cl.* 14, Amendt. 118, 119
Mutiny, Comm. 1982
Navy—Reserved or Retired Officers, 152

TEMPLE, Right Hon. W. F. COWPER-, *Hants, S.*
Metropolitan Building Act, 1855—All Saints' Church, Lambeth, 540

Tenants' Improvements (Ireland) Bill
(*Mr. Patrick Martin, Major Nolan, Mr. O'Clery, Mr. Fay*)
c. Moved, "That the Bill be now read 2°" *Mar* 20, 1673 [Bill 13]
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Bruen*); Question proposed, "That 'now,' &c.;" after debate, Question put; A. 17, N. 258; M. 241 (D. L. 61)
Words added; main Question, as amended, put, and agreed to; 2R. put off for six months

TENNANT, Mr. R., *Leeds*
Factories and Workshops, Comm. *cl.* 13, 118; *cl.* 14, Amendt. *ib.*; *cl.* 22, 314; Amendt. 315; *cl.* 27, 319; *cl.* 30, 328; *cl.* 31, Amendt. 329; *cl.* 37, Amendt. 330; *cl.* 38, Amendt. 332, 333; *cl.* 47, Amendt. 335, 336, 338; *cl.* 60, 341; *cl.* 90, 483; *add. cl.* 502

Territorial Waters Jurisdiction Bill [H.L.]
(*The Lord Chancellor*)
l. Read 2ª, after short debate *Feb* 22, 140 (No. 23)
Committee, after short debate *Mar* 8, 951
Report* *Mar* 12
Read 3ª* *Mar* 14

Threshing Machines Bill
(*Mr. Chaplin, Mr. Clare Read, Mr. Macdonald*)
c. Read 2°* *Mar* 13 [Bill 97]
Committee*; Report *Mar* 20
Considered* *Mar* 21
Read 3°* *Mar* 22
l. Read 1ª* (*Lord Walsingham*) *Mar* 25 (No. 50)

TORRENS, Mr. W. T. M., *Finsbury*
Army Clothing, 450
County Government, Comm. 926
Factories and Workshops, Consid. *cl.* 53, Amendt. 1911

Town Councils, Local Boards, and other Local Governing Bodies Bill [Bill 22]
(*Mr. Mundella, Mr. Chamberlain, Mr. Burt, Mr. Morley*)
c. Moved, "That the Bill be now read 2°" *Mar* 6, 825
Moved, "That the Debate be now adjourned" (*Mr. Charles Lewis*); Question put; A. 151, N. 160; M. 9 (D. L. 43)
Question again proposed, "That the Bill be now read 2°;" Moved, "That this House do now adjourn" (*Mr. Pell*); Question put; A. 97, N. 170; M. 76 (D. L. 44)
Further proceeding adjourned

Tramways (Use of Mechanical Power) Bills (by Order)

c. Moved, That Mr. Arthur Peel, Sir Graham Montgomery, Mr. Knight, Admiral Egerton, and Mr. Maurice Brooks be Members of the Select Committee on Tramways (Use of Mechanical Power) Bills (*The Chairman of Ways and Means*) *Feb* 25, 296; after short debate, Motion agreed to

Ordered, That the Report and Minutes of Evidence of the Select Committee on Tramways (Use of Mechanical Power) 1877, be referred to the Select Committee on Tramways (Use of Mechanical Power) Bills (*Sir Charles Adderley*) *Feb* 28

Ordered, That it be an Instruction to the Select Committee on the Tramways (Use of Mechanical Power) Bills to consider under what conditions (if at all) the use of steam or other Mechanical Power may be authorised upon Tramways during the present Session, and to take evidence thereon if they shall think fit *Mar* 8

Ordered, That the Committee have power to send for persons, papers, and records (*The Chairman of Ways and Means*)

Trevelyan, Mr. G. O., *Hawick, &c.*

Parliament—Household Franchise, Res. 159

Roads and Bridges (Scotland), Comm. *cl.* 6, 1811, 1814, 1815; Amendt. 1816

Truro, Lord

Criminal Law—Alleged Cruelty, 724, 725, 1032, 1036

Turkey

LORDS

The Eastern Question

The Movements of the Fleet—The Conference, Observations, Questions, Lord Campbell, Earl Granville; Reply, The Earl of Derby *Feb* 21, 43

The Greek Provinces of Turkey, Notice, The Duke of Argyll; Questions, Lord Emly, Earl Manvers; Answers, The Earl of Derby, The Earl of Beaconsfield *Feb* 25, 262

Russia and Turkey—The Terms of Peace, Question, Observations, Earl De La Warr; Reply, The Earl of Derby *Feb* 26, 371; Questions, Earl Granville; Answers, The Earl of Derby *Mar* 1, 529; *Mar* 4, 615; *Mar* 18, 1480; *Mar* 19, 1580

The Turkish Fleet, Question, Observations, Lord Dorchester; Reply, The Earl of Derby *Feb* 28, 441

The Treaties of 1856—*Greece*, Observations, The Duke of Argyll; Reply, The Earl of Derby; Debate thereon *Mar* 7, 830

The Congress, Questions, Earl De La Warr, Earl Granville; Answers, The Earl of Derby *Mar* 8, 949

The Conference—Greece, Question, Earl Granville; Answer, The Earl of Derby *Mar* 11, 1021

The Conference—The Presidency, Question, Observations, Earl Stanhope, Lord Campbell, Lord Denman; Reply, The Earl of Derby *Mar* 11, 1036

Turkey

COMMONS

The Eastern Question

Occupation of Gallipoli, Questions, The Marquess of Hartington; Answers, The Chancellor of the Exchequer *Feb* 21, 62;—*The Russians before Gallipoli*, Question, Sir Eardley Wilmot; Answer, The Chancellor of the Exchequer *Mar* 12, 1145

Navigation of the Danube, Question, Mr. Gourley; Answer, Mr. Bourke *Mar* 1, 539

The Straits of the Dardanelles, Question, Mr. Watkin Williams; Answer, The Chancellor of the Exchequer *Mar* 18, 1488

The Fleet in the Dardanelles, Questions, Mr. Watkin Williams, Lord Elcho; Answers, The Chancellor of the Exchequer *Mar* 21, 1754

The Eastern Question

Russia and Turkey—The Terms of Peace, Questions, Mr. W. E. Forster; Answers, The Chancellor of the Exchequer *Feb* 25, 300; *Feb* 26, 379; Question, Captain Pim; Answer, The Chancellor of the Exchequer *Feb* 28, 449; Questions, The Marquess of Hartington, Sir William Fraser; Answers, The Chancellor of the Exchequer *Mar* 4, 637; Question, Sir Charles W. Dilke; Answer, The Chancellor of the Exchequer *Mar* 7, 876; Question, Lord Robert Montagu; Answer, The Chancellor of the Exchequer *Mar* 11, 1045; Question, Mr. J. Goldsmid; Answer, The Chancellor of the Exchequer *Mar* 19, 1595

The Eastern Question

Russia and Turkey—The Treaties of 1856 *and* 1871, Question, Sir H. Drummond Wolff; Answer, The Chancellor of the Exchequer *Mar* 1, 536

Treaties of London and Paris, 1841, 1856, *and* 1871—*The British Fleet*, Notice, Mr. Watkin Williams *Mar* 15, 1394

The Treaty between Russia and Turkey—Complete Reference to the Congress, Question, Sir George Campbell; Answer, Mr. Speaker *Mar* 15, 1403

Russia and Turkey—Treaty of San Stefano, Question, Mr. Courtney; Answer, The Chancellor of the Exchequer; Observations, Mr. Gathorne Hardy *Mar* 25, 1957

The Eastern Question

The Congress or Conference, Observations, Question, The Marquess of Hartington; Answer, The Chancellor of the Exchequer *Mar* 8, 977; Observations, Sir Robert Peel; Reply, The Chancellor of the Exchequer; debate thereon *Mar* 14, 1336; Question, Sir Robert Peel; Answer, Mr. Bourke *Mar* 19, 1593; Question, Sir George Campbell; Answer, The Chancellor of the Exchequer *Mar* 15, 1403

The Congress—Advance of the Russian Army, Questions, Mr. C. Beckett-Denison, Mr. Onslow; Answers, The Chancellor of the Exchequer *Mar* 14, 1287

[cont.

Turkey—Commons—cont.
  The Congress—Greece, Question, Sir H. Drummond Wolff; Answer, The Chancellor of the Exchequer *Mar* 11, 1047; Questions, Mr. Hanbury; Answers, The Chancellor of the Exchequer *Mar* 15, 1400; *Mar* 18, 1490

Miscellaneous Questions (*General*)
  Turkey—Crete, Question, Mr. Shaw Lefevre; Answer, Mr. Bourke *Feb* 21, 60
  British Subjects at Constantinople, Question, Mr. J. Holms; Answer, Mr. Bourke *Feb* 28, 452
  Appointment of Lord Napier and Sir Garnet Wolseley to Commands, Question, The Marquess of Hartington; Answer, The Chancellor of the Exchequer *Feb* 28, 453
  The Danube Commission, Question, Sir Alexander Gordon; Answer, Mr. Bourke *Mar* 4, 636
  Russia and Turkey—The British Embassy, Question, Mr. Owen Lewis; Answer, Mr. Bourke *Mar* 5, 758
  Russia and Turkey — Alleged Execution of Polish Doctors, Question, Sir Frederick Perkins; Answer, Mr. Bourke *Mar* 5, 758
  Turkey—Greek Refugees, Question, Mr. Evelyn Ashley; Answer, Mr. W. H. Smith *Mar* 7, 873
  Turkey—Greeks in Bulgaria, Question, Sir Charles W. Dilke; Answer, Mr. Bourke *Mar* 14, 1289
  The War—Treatment of English Doctors by the Russians, Question, Mr. J. Cowen; Answer, Mr. Bourke *Mar* 14, 1292
  The Turkish Loan of 1855, Question, Mr. Dodson; Answer, The Chancellor of the Exchequer *Mar* 19, 1594
  Turkey—Insurrection in the Greek Provinces, Question, Sir George Campbell; Answer, The Chancellor of the Exchequer *Mar* 21, 1748
  Circular Remonstrance of Prince Gortchakoff (1856), Question, Captain Pim; Answer, Mr. Bourke *Mar* 21, 1754
  Affairs of Crete, Questions, Sir Charles W. Dilke, Mr. Baxter; Answer, Mr. Bourke *Mar* 25, 1955
  The Dalmatian Frontier, Question, Mr. W. H. James; Answer, Mr. Bourke *Mar* 25, 1957

The Eastern Question—Greece—Mr. Gladstone and Mr. Layard—The Negroponte Correspondence
  Moved, "That this House, having had laid before it the Correspondence between Her Majesty's Ambassador at Constantinople and the Foreign Office, relating to certain charges which had been made against the Right honourable the Member for Greenwich, based on his Letters to a M. Negroponte, views with regret the part taken in the matter by Her Majesty's Ambassador" (*Mr. Evelyn Ashley*) *Mar* 12, 1156; after long debate, Question put; A. 132, N. 206; M. 74 (D. L. 46)

The Eastern Question—Russia and the Porte—The Conference
  Postponement of Motion, Lord Campbell *Mar* 14, 1275
  Moved, "That an humble Address be presented to Her Majesty for any recent diplomatic correspondence with Her Majesty's Government on the terms of peace between Russia and the Porte" (*The Lord Stratheden and Campbell*) *Mar* 21, 1707; after debate, Motion withdrawn

United States—The Bland Silver Act
  Question, Mr. Ryder; Answer, The Chancellor of the Exchequer *Mar* 14, 1290

Vaccination Acts
  Questions, Mr. Hopwood, Earl Percy; Answers, Mr. Sclater-Booth *Mar* 8, 973
  Case of Mr. Abel, Question, Mr. James; Answer, Mr. Sclater-Booth *Mar* 12, 1139
  The Isle of Man, Questions, Mr. Hick, Mr. John Bright; Answers, Mr. Assheton Cross *Mar* 22, 1840

Valuation of Lands (Scotland) Amendment Bill (*Sir Windham Anstruther, Mr. Campbell-Bannerman, Sir Edward Colebrooke, Sir Graham Montgomery, Mr. Ramsay*)
  c. Ordered; read 1°* *Mar* 4 [Bill 124]
  Read 2°* *Mar* 21

Verner, Mr. E. W., *Armagh Co.*
  Waste Lands (Ireland), 2R. Amendt. 11

Victoria, Colony of—The Ministerial Crisis
  Question, Observations, The Earl of Kimberley, The Earl of Carnarvon; Reply, Earl Cadogan *Mar* 15, 1390; Question, Mr. A. Mills; Answer, Sir Michael Hicks-Beach *Mar* 15, 1400; Question, The Earl of Kimberley; Answer, Earl Cadogan *Mar* 21, 1706

Waddy, Mr. S. D., *Barnstaple*
  Merchant Shipping—Eddystone Lighthouse, 1043

Wait, Mr. W. K., *Gloucester*
  Sugar Convention, 154

Walpole, Right Hon. Spencer H., *Cambridge University*
  Law and Justice (Ireland)—Mr. Justice Keogh, Charge of, 1952

Ward, Dr. M. F., *Galway*
  Factories and Workshops, Comm. *cl.* 32, Amendt. 329; *cl.* 67, Amendt. 457; *cl.* 68, 463; *cl.* 69, 468; Amendt. 473, 474; *cl.* 99, 493; *add. cl.* 589, 595
  Navy Estimates—Medical Establishments at Home and Abroad, 1471
  Parliament—Public Business, Nomination of Select Committee, 365
  Supply—Queen's University in Ireland, 1566

Waste Lands (Ireland) Bill
(*Mr. MacCarthy, Mr. Herbert, Mr. Downing, Mr. Shaw*)
c. Moved, "That the Bill be now read 2°" *Feb* 20, 1
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Verner*); Question proposed, "That 'now,' &c."; after debate, Question put; A. 118, N. 147; M. 29 (D. L. 22)
Words added; main Question, as amended, put, and agreed to; 2R. put off for six months

Watch Cases (Hall Marking) Bill
(*Sir Henry Jackson, Mr. Eaton, Sir Andrew Lusk, Mr. Torr, Mr. Torrens*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *Mar* 13 [Bill 128]

Waterlow, Sir S. H., *Maidstone*
Factories and Workshops, Comm. *cl.* 47, 338; *cl.* 65, 346; *cl.* 69, 472; *cl.* 100, 498

Watermen and Lightermen of the Thames—Petition
Question, Captain Pim; Answer, The Chancellor of the Exchequer *Mar* 7, 875

Watkin, Sir E. W., *Hythe*
Factories and Workshops, Comm. *cl.* 47, 337

Waveney, Lord
Army—Mutiny Act, 1833, 1836

WAYS AND MEANS
Dog Licences, Question, Mr. Heygate; Answer, The Chancellor of the Exchequer *Mar* 11, 1044
The Financial Statement, Question, Mr. Coope; Answer, The Chancellor of the Exchequer *Mar* 8, 976

Ways and Means—Customs—The Wine Duties
Amendt. on Committee of Supply *Mar* 1, To leave out from "That," and add "a Select Committee be appointed to inquire into the present system of levying Customs Duties on Wines" (*Mr. William Cartwright*) v., 559; Question proposed, "That the words, &c.;" after debate, Question put; A. 85, N. 65; M. 20 (D. L. 37)

Ways and Means—Income Tax
Moved, "That, considering the successive and inevitable re-enactments since 1842 of 'The Property and Income Tax,' it is expedient that, without needless delay, the unequal incidence of the Tax be corrected, and that by the adjustment of its provisions the Income Tax be adapted for permanent use in the levy of Imperial Revenue" (*Mr. Hubbard*) *Feb* 26, 384; after debate, Motion withdrawn

WAYS AND MEANS
Considered in Committee *Feb* 27
(1.) Resolved, That, towards raising the Supply granted to Her Majesty, the Commissioners of Her Majesty Treasury be authorised to raise any sum of money, not exceeding £1,000,000, by an issue of Exchequer Bonds
(2.) Resolved, That the principal of all Exchequer Bonds which may be so issued shall be paid off at par, at any period not exceeding five years from the date of such Bonds
(3.) Resolved, That the interest of such Exchequer Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof
Resolutions reported *Feb* 28
[See title Exchequer Bonds (£1,000,000) Bill]
Considered in Committee *Mar* 19
(1.) Resolved, That, towards making good the Supply granted to Her Majesty for the service of the years ending on the 31st day of March, 1877 and 1878, the sum of £1,537,047 6*s.* 5*d.* be granted out of the Consolidated Fund of the United Kingdom
(2.) Resolved, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1879, the sum of £12,000,000 be granted out of the Consolidated Fund of the United Kingdom
Resolutions reported *Mar* 20

Weights and Measures Bill
(*Mr. Edward Stanhope, Sir Charles Adderley, Mr. Attorney General*)
c. Moved, "That the Bill be now read 2°" *Mar* 4, 719
Moved, "That the Debate be now adjourned" (*Mr. Parnell*); after short debate, Motion withdrawn
Original Question put, and agreed to; Bill read a second time, and committed to a Select Committee [Bill 111]
Select Committee nominated; List of the Committee *Mar* 14, 1381

Wharncliffe, Earl of
Science and Art—Museum of Casts from the Antique, 1937, 1945

Wheelhouse, Mr. W. St. James, *Leeds*
Blind and Deaf-Mute Children (Education), Comm. 1579
Ecclesiastical Buildings (Fire Insurance), 2R. 1918
Endowed Schools (Leeds Poors Estate), Motion for an Address, 1662, 1664
Factories and Workshops, Comm. Schedule 2, Amendt. 885, 886, 887
Income Tax, Res. 398
Mr. Gladstone and Mr. Layard—Negroponte Correspondence, Res. 1185
Parliament—Public Petitions Committee—Fictitious Petitions, Report, 1974
Poor Law—Election of Poor Law Guardians, Motion for a Select Committee, 549

WHITBREAD, Mr. S., *Bedford*
Factories and Workshops, Comm. *cl.* 25, 317; *cl.* 27, 324; *cl.* 65, 345; *cl.* 100, 497

WHITWELL, Mr. J., *Kendal*
Bankruptcy Law Amendment, 2R. 1134
Customs—Wine Duties, Motion for a Select Committee, 579
Ecclesiastical Buildings (Fire Insurance), 2R. 1921
Factories and Workshops, Comm. *cl.* 5, 93; *cl.* 10, 96; *cl.* 27, 318; *cl.* 52, 340
Mutiny, Comm. 2031
Navy Estimates—Freight, &c. on Account of the Army Department, 1476
Poor Law Amendment Act (1876) Amendment, Comm. 2032
Supply—Civil Contingencies Fund, Repayments to, 1618
  Clockmill Estate, Edinburgh, Purchase of, 1526
  Law Charges, 1558
  Local Government Board, 1550
  Post Office Telegraph Disallowances, 1623
  Public Offices Site, 1540
  Royal Palaces, 1518
  Temporary Commissions, 1615
  Wellington Monument, 1537
Weights and Measures, 2R. 720

WILLIAMS, Mr. W., *Denbigh, &c.*
Eastern Question—Straits of the Dardanelles, 1488;—Fleet in, 1754
  Treaties of London and Paris, 1841, 1856, and 1871—British Fleet, 1394

WILMOT, Sir J. E., *Warwickshire, S.*
American Mail Service, Res. 1651
County Courts Jurisdiction (No. 2), 2R. 1478
Criminal Law—Directors of Criminal Investigations, 1145

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WILMOT, Sir J. E.—*cont.*
Eastern Question—War—Russians before Gallipoli, 1145
Libel Law Amendment, 2R. 1477
Mine Accidents—Life Brigades in Mining Districts, 1490
National Portrait Gallery, Res. 771
Supply—Diplomatic Services, 1609

WILMOT, Sir H., *Derbyshire, S.*
Army Promotion and Retirement—Regimental Ranks of the Line, 653

WILSON, Mr. C. H., *Kingston-upon-Hull*
Bar Education and Discipline, 2R. 135

WOLFF, Sir H. D., *Christchurch*
Eastern Question—Congress or Conference, 978, 1047, 1355, 1361
  Russia and Turkey—Treaties of 1856 and 1871, 536

WYNDHAM, Hon. P. S., *Cumberland, W.*
Declaration of Paris, Res. 1862

YEAMAN, Mr. J., *Dundee*
Customs—Wine Duties, Motion for a Select Committee, 580
Factories and Workshops, Comm. *add. cl.* 604

YORK, Archbishop of
Ecclesiastical Benefices, Address for a Ro Commission, 954, 970

YORKE, Mr. J. R., *Gloucestershire, E.*
Declaration of Paris, Res. 1908

END OF VOLUME CCXXXVIII., AND SECOND VOLUME OF SESSION 1878.

LONDON: CORNELIUS BUCK, 22, PATERNOSTER ROW, E.C.

S.